REPORT

OF THE

Civil Disobedience Enquiry Committee

1922

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Indian Nat'l Congress

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PUBLISHERS' NOTE

THE OFFICIAL REPORT OF THE CIVIL DISOBEDIENCE COMMITTEE was published in the beginning of last month and since then a large volume of literature in the form of comment and criticism on the same has grown up. An important item of non-co-operation has now come up for consideration by non-co-operators and the public generally. We mean the question of entry by non-co-operators into the various Legislative Councils of the country. The question was very fully dealt with by the All-India Congress Committee but was left over for consideration in the forthcoming December session of the Congress at Gaya. Much light is thrown on the subject by the findings of the C. D. Committee. There are also many other subjects which have been treated at length in the report which may engage the attention of the Congress at Gaya.

In these circumstances, a handy volume comprising the report and the literature that has grown up in connection with it, will, we hope, be of much use to all who wish to attend or follow the proceedings of the Congress. With a view to make the volume comprehensive, we have added to the report proper, the report of the Khilafat Committee on Civil Disobedience, views on the Congress Committee's report on Civil Disobedience, of such influential men as Messrs. C. R. Das, Hardayal Nag, Jinnah, Jayakar, Abbas Tyabji, Natarajan, Bi Aman, Stokes and Prakasam. Also the views and comments of the leading newspapers such as the *Bombay Chronicle*, *The Swaraj*, *Bengalee*, *Tribune*, *Independent*, *Leader* and *Indian Social Reformer*.

We have fixed the price of the book very low, *i. e.*, Rupee one only, so that it may be within the easy reach of everybody.

MEMBERS OF THE COMMITTEE

—:O:—

President :

HAKIM AJMAL KHAN

Members :

Pandit Motilal Nehru

Dr. M. A. Ansari

Sjt. C. Rajagopalachariar

,, V. J. Patel

,, S. Kasturiranga Iyengar

Secretary :

H. M. Hayat

TO

DESHABANDHU CHITTARANJAN DAS,

President, 36th Indian National Congress.

EX-OFFICIO PRESIDENT, ALL-INDIA CONGRESS COMMITTEE,

CALCUTTA.

Sir,

We beg to submit the following Report in compliance with the resolution passed by the All-India Congress Committee at its meeting held in Lucknow in June last. The circumstances which led up to the appointment of our committee are briefly indicated in that resolution. They form a part of "the situation" which we are called upon to investigate and are stated more fully in our Report.

In consultation with the members of the Working Committee present at its meeting held on the 9th June, Hakim Ajmal Khan, the Acting President of the Congress, appointed a Committee consisting of himself and the following members:—

Pandit Motilal Nehru.
Syt. C. Rajagopalachariar.
Dr. M. A. Ansari.
Syt. V. J. Patel.
Seth Jamnalal Bajaj.
Seth M. M. H. J. M. Chotani.

Hakim Ajmal Khan being the Acting President of the Congress was the *ex-officio* Chairman of this Committee.

Seth Jamnalal Bajaj could not accept the offer owing to his pre-occupation with the All-India Khaddar Scheme. Mrs. Sarojini Naidu was asked to take his place, but owing to ill-health she was prevented from doing so. The Chairman then invited Syt. S. Kasturiranga Iyengar who cordially responded and joined the Committee at Jubbulpore. Seth Chotani was unable to join in the tour or take part in the meetings of the Committee.

Syts. Hasan Mohamed Hayat, Mohamed Abdul Basit and Lalji Mehrotta were appointed Honorary Secretaries of the Committee and have discharged their duties with devotion and care. But for their willing and untiring help it would have been impossible to arrange, classify and analyse the mass of evidence adduced before us or to prepare the elaborate indices appended to the Report.

We desire to express our sense of obligation to the leading Congressmen of every place visited by us for the valuable assistance rendered by them and to the numerous workers and volunteers all over India who, one and all, strove not only to help us in our enquiry but to make us as comfortable as possible. We have

special pleasure in placing on record our grateful remembrance of the warm and hearty reception accorded to us by many thousands of our countrymen, the Municipal Boards of Jubbulpore, Poona, Bijapur, Erode, Guntur and Bezwada and other public bodies too numerous to mention.

To Pandit Motilal Nehru the other members of the Committee desire to express their indebtedness for writing the Report amidst much personal and domestic inconvenience.

Allahabad,

30th October, 1922.

We are, Sir,

Yours faithfully,

Ajmal Khan
Motilal Nehru
M. A. Ansari
C. Rajagopalachariar
V. J. Patel
S. Kasturiranga Iyengar.

INTRODUCTION

APPOINTMENT OF THE COMMITTEE

The following resolution was passed by the All-India Congress Committee after prolonged discussion at its meeting held on the 6th, 7th and 8th June, 1922.

"This Committee records its satisfaction that, although in spite of the suspension of all aggressive activities by the Congress Committees, repression in a most severe form has been resorted to by the Government in several parts of the country, the spirit of the Congress workers has not been daunted and the constructive programme laid down by the Committee is being loyally carried out at great sacrifice in every province.

"The Committee has taken note of the widespread feeling that, in view of the extremely unfair manner in which the policy of repression is being carried out by the Government, the country should be advised to resort to some form of civil disobedience to compel the Government to abandon their present policy and to agree to concede the triple demand of the Congress. But the Committee is of opinion that the carrying out of the Constructive Programme will be the best preparation for even mass civil disobedience while it will also be the most effective means of furthering the objects of the Congress. The Committee therefore earnestly appeals to the country to concentrate all its efforts upon carrying out the Constructive Programme to the fullest extent and to endeavour to complete it within the shortest period possible.

"That the further consideration of the question whether civil disobedience in some form or some other measure of a similar character should be adopted, should be taken up at the next meeting of a Committee to be held at Calcutta on 15th of August next.

"That in the meantime the President be requested to nominate and authorise a few gentlemen to tour round the country and report on the situation to the next meeting.

"Note.—This resolution does not in any way affect the resolution passed at Delhi on the 25th of February last."

SCOPE OF THE ENQUIRY

2. The resolution quoted above embodies the terms of reference to us. As we understand those terms, we are called upon to report

on the general situation in the country and place all available material before the All-India Committee which may help in the "further consideration of the question whether civil disobedience in some form or some other measure of a similar character should be adopted." The term "civil disobedience" appears to be wide enough to include all forms of non-violent disobedience of law or orders having the force of law. But, however wide the field it may cover, it is, in common with all other Congress activities, subject to the restriction that the line of action chosen must not offend against the principle of Non-co-operation accepted by the Congress, nor come into conflict with the programme laid down at the Special Session held in Calcutta and the regular Sessions held at Nagpur and Ahmedabad. We take it that the All-India Committee has no power to go behind the resolutions passed at these Sessions and entertain proposals inconsistent with them. It follows that the civil disobedience or other similar measure, the adoption of which is to be considered at the next meeting of that Committee, must be confined to some action authorised or permitted by the Congress resolutions as they stand, and that the "situation" which we have to investigate is intended to have a bearing on such action. That being so, all questions, involving a modification of those resolutions in any particular, would ordinarily be entirely beyond the scope of an enquiry of the nature we are called upon to make.

NATURE OF EVIDENCE TAKEN.

Having regard, however, to the fact that changes in some items of the non-co-operation programme were insisted upon in certain responsible quarters long before our Committee was appointed, and in view of the further fact that the All-India Congress Committee may be advised to make some recommendations in that behalf to the Congress, we invited and have since admitted evidence on all points bearing upon the future progress of the whole movements as will appear from the questions issued (Appendix I) and the tabular synopses of the evidence recorded (Not printed). This course appeared to us all the more desirable as it was calculated to serve the twofold object of collecting valuable general information without extra trouble and expense, and of relieving to some extent the tension of public feeling which had been apparent for some time past. We are glad to be able to state that our expectations in this respect have been realised. In the process of collecting a store of useful material we have by *viva voce* examination of witnesses cleared much of the mist that had gathered round the movement. This material will be available when the occasion to deal with it arises. We have, on all the points, endeavoured so to arrange and classify the

evidence as to indicate the general feeling on any particular subject at a glance.

THE PROCEDURE

3. The procedure followed in taking evidence was first to call for written answers to the questions published in the press and supplied to the various Congress Committees, and then to examine such witnesses *viva voce* as offered themselves. The written answers received in any centre were arranged in convenient groups representing distinct sets of opinions, and witnesses belonging to each group were then asked to elect a spokesman who was examined at length in the presence of other members of his group. After his examination was completed, each member of the group was allowed full opportunity to state his points of difference, if any, from the spokesman, and these points were duly noted. With a view to avoid invidious distinctions we refrained from sending out special invitations to selected gentlemen asking them to give evidence before us, and considered the general invitation implied in the publication of the questionaire to be sufficient for all practical purposes. We have shut out no evidence of any kind offered to us and the opinions collected are fairly representative of all shades of political thought within the Congress.

We received written answers from 459 witnesses of whom 366 were orally examined by us, the remaining 93 not attending.

ENQUIRY *IN CAMERA*

4. The *viva voce* examination was conducted *in camera* for the obvious reason that an enquiry of this kind is, in its very nature, of a confidential character. We preserved this character with a view to encourage the witnesses to speak out their candid opinions without let or hindrance. Some of them, however, have published their written answers though the fact that the enquiry was being held *in camera* and that the representatives of the press had been excluded from the very beginning, was duly notified. On the question being raised at Poona, the Chairman left it to the discretion of the witnesses to deal with their written answers as they pleased but adhered to the decision in regard to the *viva voce* part of the evidence for the reasons stated.

EVIDENCE NOT PRINTED

5. After the completion of the enquiry certain members of the All-India Congress Committee suggested the printing of the whole evidence to enable members to have copies in good time before its next meeting. The proposal was considered by the Committee, but in view mainly of the heavy expenditure involved, the printing of the voluminous evidence was not undertaken. Careful charts and tables briefly summarising the evidence on each head

of enquiry have, however, been prepared to form a part of the report (Not printed) and facilities have been provided for the inspection of the complete record at six important centres, *viz.* Madras, Poona, Bombay, Delhi, Allahabad and Calcutta. This course was approved by the President of the Congress.

THE TOUR

6. The itinerary of our tour is appended.* It will be noticed that in view of the original date fixed for the meeting of the All-India Committee (August 15th) we had to compress our programme within very narrow time limits. We were compelled to omit Sindh, Ajmere-Merwara and Central India and Bihar entirely from our programme and could only visit the principal towns in the other Provinces except the U. P. where the importance of Cawnpore and Allahabad claimed a short stay at each. It was arranged to examine witnesses from the Provinces originally omitted at such centres on the programme as were convenient to the Provinces concerned. The Ajmere-Merwara and Central India witneses were accordingly examined at Ahmedabad. The Sind witnesses were also to be examined at Ahmedabad but they could not attend. All this time it was felt that the date of the next meeting of the All-India Committee having been fixed by that committee itself by formal resolution passed at Lucknow, it was not competent to the Enquiry Committee to alter it; but some time after the tour had begun letters were received from certain members suggesting a postponement of the meeting of the All-India Committee on the ground that the great Hindu festival of Janmashtami fell on the 16th August: and from certain other members asking for more time to consider our report than would be available to them if the original date was adhered to. In view of these suggestions a circular letter was issued by the Working General Secretary to all the members; and the replies received from most provinces favoured a postponement. Hakim Ajmal Khan, as the Acting President of the Congress, accordingly fixed the 15th September for the next meeting of the All-India Committee and this enabled us to visit Patna, and relieve the witnesses from Bihar from undertaking the journey to Calcutta. Time has now been further extended by Mr. C. R. Das, the President, under circumstances alreadynotified to the members.

PROPAGANDA

7. We have already stated the procedure followed in the examination of witnesses at the places visited by us. It is necessary to add that the recording of evidence was not the only work done. We took occasion to visit several Khaddar manufacturing centers

*Not printed in this book.

in Southern India and Assam. Our visit to Tezpur (Assam) was specially instructive. We were gratified to find that the ancient cottage industry of the Assam silk cloth manufacture which was on the deline had received an impetus by the Congress propaganda. In the course of our tour we have also freely availed of the opportunities which came us to address public meetings. These were as a rule attended by large audiences varying from five to thirty thousand or more. We were accorded the warmest of welcomes wherever we went by immense crowds of men and women of all classes and were honoured by the Municipalities of Jubbulpore, Poona, Bijapur, Erode, Guntur and Bezwada, and numerous influential public bodies who presented addresses to us. The enthusiasm which prevailed everywhere stood out in marked contrast to the despondence of some of the witnesses who appeared before us. We shall deal with the different phases of public feeling which presented themselves to us, and the causes to which they have been attributed, in their proper place, but it may be generally stated here that we have met no man or woman, in any part of this vast country, who has not the success of our movement at heart. We are convinced that no amount of repression or oppression can affect the deep-rooted desire of the people for immediate Swaraj.

GRAVITY OF THE TASK

8. It has fallen to us to examine the magnificent works of the greatest man of the age now resting behind the walls of the Yeravada prison. The gravity of our task, apparent as it was at the outset, impressed us more and more strongly as we proceeded with the enquiry. At every step we realized the invaluable guidance affored by the general plan so carefully worked out by the masterful genius who till recently directed the campaign in person. We were naturally reluctant to put it lightly away in his absence from the field of operations. Great, however, as is our respect and admiration for Mahatma Gandhi, we have not allowed it to come in the way of our clear duty. We have approached his work with reverence but have examined it with care. We have endeavoured to face existing conditions with an open mind controlled only by our unshakeable faith in the high purpose of the great movement. We have wholly discountenanced open revolt against the general scheme of non-violent Non-Co-operation at one end and utter subservience to the minutest detail at the other.

CHAPTER I.

THE ADVENT OF NON-CO-OPERATION

THE CRISIS OF 1919

9. The year 1919 was remarkable for the happening of events destined to leave a lasting impression on the history of India. It began with the appearance of what Mahatma Gandhi called at the time "an unmistakable symptom of a deep-rooted disease in the governing body" popularly known as the Rowlatt Bill. It is common knowledge how this obnoxious measure was passed into law in the teeth of unanimous Indian opposition in and out of the Council. The same year witnessed the passing of a Reform Act, or, as the country as a whole rightly apprehended it to be, an apology or an eye-wash for real reform. In that year, also occurred the infamous but never forgettable Punjab atrocities. In unwilling response to a strong and insistent demand for a Royal Commission, only a committee of enquiry presided over by Lord Hunter was appointed and that by the Government of India whose conduct itself was in issue. While the Government was still marking time a committee of enquiry, with Mahatma Gandhi and other eminent lawyers, was appointed to enquire into the matter under the auspices of the Congress. The Congress refused to lead evidence before the Hunter Committee as the Government of the Punjab refused to allow the leaders in prison to appear in person and tender evidence before the Committee. A step in Non-Co-operation was thus taken.

THE AMRITSAR CONGRESS

10. Whilst both the official andCongress enquiries were proceeding, the Amritsar Congress met. Two or three days previous to the assembling of the Congress, on the 24th of December 1919, a Royal Proclamation was issued giving His Majesty's assent to the Reform Act and granting a general amnesty to those concerned in the Punjab "rebellion" who were not guilty of actual violence. As a result thereof the Ali Brothers and the Punjab leaders who had been condemned to various terms of punishment were released and their unexpected entry into the Congress *Pandal* evoked the greatest enthusiasm. The disclosures of official barbarities made in the evidence given before the Hunter Committee had sent a thrill of horror throughout the country. On top of this, came the grievous discontent caused by the ludicrously small "concessions" in the Reform Act. The Congress felt itself insulted at this poor half-hearted measure, but in response to the earnest appeal of Mahatma Gandhi and the Moderate leaders, resolved for the time being that while the reforms were "inadequate, unsatisfactory

and disappointing" the Congress would work them for what they were worth.

SPECIAL CONGRESS SESSIONS CALLED

11. Two months after the Congress concluded its sesssions, the report of the Congress (Punjab) Enquiry Committee was published (March 1920). The details disclosed in the report were received with indignant horror in the country and the Government's delay in publishing the Hunter Report roused widespread suspicion. This was confirmed when on 3rd May 1920 the majority and minority Reports of the Hunter Committee and the unsatisfactory despatches of the Government of India and the Secretary of State thereon were published after the Government had shut out the ordinary legal remedies to the subject by passing an Indemnity Act. The All-India Congress Committee, after this, lost no time in meeting to consider the question and decided on summoning a special session of the Congress at Calcutta.

TOWARDS NON-CO-OPERATION

12. It has been regarded in India from times immemorial as the highest duty of the people to refuse to assist a Government that will not listen to their grievances. The inherent right of the subject to compel redress has in India been generally asserted by voluntarily and peacefully undergoing suffering to the utmost when feeling is genuine and deeply stirred. It is this ancient practice which in the troublous times of the Partition of Bengal suggested the idea of withdrawing co-operation from the Government in certain directions. Presiding at the Benares Session of the Congress in 1905 the late Mr. Gokhale, referring to the influential opinion which had ranged itself against the Partition, uttered the following prophetic words:—

"If the opinions of even such men are to be brushed aside with contempt, if all Indians are to be treated as no better than dumb, driven cattle; if men whom any other country would delight to honour are to be thus made to realize the utter humiliation and helplessness of their position in their own country, then all I can say is: "Good-bye to all hope of co-operating in any way with the bureaucracy in the interests of the people. I can conceive of no greater indictment of British rule than that such a state of things should be possible after a hundred years of that rule."

Two years later the late Lokamanya Tilak expounded the principle of non-co-operation in a remarkable speech and was followed up by Mr. Gokhale in 1909 who, in moving the resolution regarding Indians in South Africa, at the Lahore Congress, thus explained the doctrine of "passive resistance" which is merely one form of Non-Co-operation:—

"What is the passive resistance struggle? It is essentially defensive in its nature and fights with moral and spiritual weapons. A passive resister resists tyranny by undergoing suffering in his own person. He pits soul-force against brute-force; he pits the divine in man against the brute in man; he pits suffering against oppression, pits conscience against might; he pits faith against injustice; right against wrong."

Let those who invoke the blessed memories of Gokhale and Tilak, in and out of season, to run down non-co-operators ponder over these noble sentiments. While the clear political insight of both these devoted patriots clearly saw the shadows cast by coming events, it was left to Mahatma Gandhi to expound a practical policy and programme of Non-Co-operation and to lead the struggle against a Government which had forfeited the confidence of the people. Time was now ripe. The denial of justice in the matter of the Punjab atrocities and of the Khilafat had deeply stirred the country to the innermost depths of its soul. The seed thrown by Mahatma Gandhi fell on prolific soil and immediately took root.

FIRST KHILAFAT RESOLUTION

13. The All-IndiaKhilafat Conference held at Delhi in November 1919 resolved to withdraw co-operation from Government, under the advice of Mahatma Gandhi, if the Khilafat question was not satisfactorily settled. The resolution was in general terms and stated that in the event of the Khilafat question not being satisfactorily solved, "the Mussalmans of India shall progressively withhold all co-operation from the British Government." This decision was re-affirmed by the Calcutta meeting of the Muslim League and by other Conferences in the country. The Madras Khilafat conference held on the 17th April, 1920, further defined the nature of the progressive scheme of non-co-operation to be (1) renunciation of honorary posts, titles and membership of Councils; (2) giving up of posts under Government; (3) giving up of appointments in the police and military forces; (4) refusal to pay taxes.

LEADERS' CONFERENCE AT ALLAHABAD

14. Although at this stage the movement of non-co-operation was concerned mainly with the Khilafat question, Mahatma Gandhi resolved to refer the question to a Conference of leaders of all parties which met at Allahabad on the 2nd of June, 1920. At this Conference the policy of non-co-operation was decided upon and a Committee was appointed consisting of Mahatma Gandhi and some of the Muslim leaders to draw up the pragramme. The committee published the programme in July and it was in this programme that the boycott of schools and colleges and of law courts first figured.

THE CALCUTTA CONGRESS

15. In the meantime the political situation had become worse. The attitude of the Government had become clearer in regard to the Punjab, the Khilafat and the Reforms, and the Punjab debate in both Houses of Parliament had destroyed the last vestige of faith in the Government. It was generally agreed that the time had come for vigorous action. The Special Congress, which met at Calcutta in September 1920, was called upon to consider the programme as well as the policy of Non-Co-operation. In the Subjects Committee all Muhammadan members, except Mr. Jinnah, voted with the Mahatma, while many prominent non-Muslim Nationalists supported Mr. Das, who led the opposition to Mahatmaji. It is noteworthy that in the Subjects Committee and, to a lesser extent in the open Congress, Mahatmaji was met with no inconsiderable opposition on the question of this triple boycott. But the extreme disappointment in the country in the matter of the redress of the Punjab and Khilafat wrongs and the illusory nature of the Reforms, coupled with the towering personality of Mahatmaji enabled him to carry his programme through the Congress. The next three months were almost exclusively devoted to an intense propaganda to popularise the triple boycott.

THE NAGPUR CONGRESS

16. The Nagpur Congress met in December 1920, under very favourable conditions. The Council elections had been held and all Nationalists including those who dissented on the boycott of Councils had stood aloof in obedience to the Calcutta resolution. The question had now passed out of the domain of practical politics for the next three years and all Congressmen were united in opposing the unbending policy of the Government. Boycott of schools and courts still found sturdy opposition in certain influential quarters but the great bulk of the 14,000 and odd delegates were firm in their resolve to adhere to the Calcutta resolution which was re-affirmed, revised and re-cast in a form acceptable to all parties in the Congress.

BOYCOTT OF H. R. H. THE DUKE'S VISIT

Another important resolution passed at Nagpur advised the people of India, in pursuance of the policy of Non-Co-operation, to refrain from taking any part in the functions or festivities in honour of H. R. H. the Duke of Connaught during his visit to India. H. R. H. arrived in India in January 1921, soon after the Nagpur Congress. The boycott of the Royal Visit was a striking success and proved the determination of India, manifested by the complete and spontaneous *hartals* in each of the towns where the Duke made his entry, to free herself from her present position

of bondage and humiliation amongst the nations of the world. While the Duke received the official welcome in Calcutta and Delhi through deserted streets, Mahatma Gandhi's meetings attracted thousands in other parts of the same towns to listen to the gospel of liberty.

THE NEW CONSTITUTION

The Nagpur Congress also adopted a new constitution in place of the old. The leading features of this were a change in the terms of the Congress creed, distribution of the Provinces on a linguistic basis, re-organisation of the Congress and its subordinate committees, regulation of the elections and number of delegates, and the appointment of a Working Committee. This new constitution with the position assigned to the Working Committee of the All-India Congress Committee thereunder has, it has been objected, favoured centralisation of authority. As the chief continuously functioning executive body of the Congress, inspired and guided by Mahatmaji, it has undoubtedly assumed considerable importance and taken a large share in directing Congress policy ; but this was inevitable in the very nature of things.

MEN, MONEY AND MUNITIONS

17. By the month of March, attention began to concentrate more on the constructive side of the movement. The All-India Congress Committee met at Bezwada on March 31st and passed resolutions calling upon the country to concentrate attention on (1) collecting a crore of rupees, (2) enlisting a crore of members and (3) introducing 20 lakhs of charkas into Indian households by the 30th of June 1921. The country took up the work in right earnest and the crore was over-subscribed in time though complete success was not achieved in the other two items which could not receive sufficient attention.

CONSTRUCTIVE SIDE OF CONGRESS

18. The succeeding months of 1921 were remarkable for the great insistance placed on the constructive side of Congress activities and at the meeting of the All-India Congress Committee held at Bombay attention was specially concentrated upon "attaining the complete boycott of foreign cloth by the 30th September next and manufacture of Khaddar by stimulating hand-spinning and hand-weaving." Detailed instructions were issued to subordinate Congress organisations and all Congressmen for the successful achievement of that object. Resolutions were also passed boycotting the forthcoming visit of H. R. H. the Prince of Wales, approving the picketting of liquor shops, which had already begun, deploring the mob excesses at Aligarh and Malegaon, and authorising the Working Committee to frame a statement of the Foreign Policy of the Congress to be

laid before the next meeting of the All-India Committee for consideration. The most important decision of that meeting directly relevant to the present enquiry was contained in the last paragraph of Resolution No. 4 which ran as follows :—

"The All-India Congress Committee has taken note of the reasonable desire of workers in the United Provinces and other parts to take up civil disobedience in answer to the repressive measures of Local Governments and has also taken note of the fact that the administration in the North-West Frontier Province has even prohibited the entry into that Province of the members of the Frontier Enquiry Committee appointed by the Central Khilafat Committee to enquire into the outrages alleged to have been committed by the local officials in Bannu ; but with a view to ensure greater stability of non-violent atmosphere throughout India and in order to test the measure of influence attained by the Congress over the people and further in order to retain on the part of the nation an atmosphere free from ferment necessary for the proper and swift prosecution of Swadeshi, the All-India Congress Committee is of opinion that civil disobedience should be postponed till after the completion of the programme referred to in the resolution on Swadeshi, after which the Committee will not hesitate, if necessary, to recommend a course of civil disobedience even though it might have to be adopted by a Special Session of the Congress ; provided, however, that it is open to any province or place to adopt civil disobedience subject to the previous approval of the Working Committee obtained within the constitution through the Provincial Congress Committee concerned."

INHERENT RIGHT OF OPINION

19. The All-India Congress Committee next met at Delhi on the 4th and 5th November after the arrest and imprisonment of the Ali Brothers which violently disturbed the even tenor of Swadeshi and temperance work enthusiastically taken up by the people in response to the resolution passed at the preceding meeting. The Committee gave its answer by authorizing "every Province on its own responsibility to undertake civil disobedience including non-payment of taxes in the manner that may be considered the most suitable by the respective Provincial Congress Committees" subject to certain conditions ; and further emphasised its settled conviction that the Ali Brothers were guilty of no offence in calling upon Government employees to resign their posts by declaring that "it is the inherent right of a citizen to pronounce his opinion upon the advisibility or otherwise of Government servants leaving civil or military service, and that it is the inherent right of every citizen to appeal in an open manner to the soldier or the civilian to sever his connection with a Government which had forfeited the

confidence and support of the vast majority of the population of India." It also approved the resolution of the Working Committee on Foreign Policy.

The last meeting of the year was held on the 24th December which elected Hakim Ajmal Khan to act as the President of the ensuing Congress in place of Syt. C. R. Das, the President-elect then an under-trial prisoner.

CENTRALISATION OF VOLUNTEER BOARDS

20. We have not specially noticed the resolutions of the Working Committee as almost in every important matter they were subsequently adopted by the All-India Congress Committee. Those having a special importance of their own are reproduced.* The meeting of the Working Committee held in Bombay on the 22nd and 23rd November was of special interest. The Criminal Law Amendment Act had been applied to the volunteer organisations in Bengal, the U. P. and the Punjab only a few days before, and Resolution No. 5 passed by the meeting bringing all existing volunteer bodies under one central control was an acceptance of the challenge thrown out by the Government. Repression thereafter ran amock.

In tracing the history of non-co-operation from its inception to the Ahmedabad Congress we have touched but lightly on the attitude of the Government and the general policy of repression inaugurated by it, as the subject, though an integral part of that history is important enough to deserve special and separate treatment. We shall deal with it in the next chapter.

CHAPTER II.

THE ORGY OF REPRESSION

EMBARRASSMENT OF GOVERNMENT

21. It will be seen from the events recorded in the preceding chapter how the mighty wave of non-co-operation once started rapidly spread thoughout the country, gaining strength and volume as it rolled on from province to province. The Government were embarrassed at the startling success of the movement from the very beginning. They apprehended that at such a stage repression might strengthen the movement rather than check it. They, therefore, began with some pin-pricks such as depriving pensioners of pensions and landholding non-co-operators of irrigation water. Isolated prosecutions were also resorted to, but, on the whole, it seemed as if they had realised that to oppose the movement with force at that stage would be suicidal.

* Not printed in this book.

"RALLY THE MODERATES"

22. Lord Chelmsford had to be content with pouring uneasy ridicule on the movement. It was this attitude which underlay the Government of India Resolution of November 6,1920, which with amazing self-complacency left the " most foolish of all foolish schemes" to die of inanition. Repression not being thought advisable at that stage, strenuous efforts were made to rally the moderates. Lurid pictures were drawn of an India which would be plunged in anarchy and red ruin if the strong arm of the English were withdrawn. It was declared that Non-Co-operators were leading the country to Bolshevism and Anglo-Indian newspapers published sensational articles on an India being driven to the verge of a precipice. The Afghan bogey was raised to divide the Hindus from the Mussulmans. Feverish appeals were made to the Councillors to stand by the Government in the hour of its sorest trial. " I appeal to you members of this Council," harangued Sir Harcourt Butler " to assist your Government not only in this Council but actively in your constituencies." His Excellency knew that his Council was no better than a Greek Chorus, and that its own support was of no consequence. Hence the appeal to the Councillors to venture out of the safety of seclusion and face the music outside. But the Councillors knew the nature of the reception in store for them, if they attempted to approach the electors, whose confidence they were supposed to enjoy, and wisely chose discretion as the better part of valour. This was soon apparent to Sir Harcourt Butler who now appealed to Commissioners of Divisions, to help in rousing the moderates generally in a remarkable circular letter some choice passages from which are given below :—

"Non-Co-operation shifts its ground repeatedly according as it meets with success or failure while counter-moves of a restricted kind are labouring to overtake the schemes which they have been powerless to anticipate."

"The moderate element in the country may be organised and led with the express object of defeating the Non-Co-operation movement."

"If Government officers declare themselves openly against Non-Co-operation it may be possible to give the moderate opinion the coherence and initiative which it lacks."

Similar exhortations were made by other Provincial Governors

GOVT. OF INDIA ADVISES PROVINCIAL GOVTS.

23. By January 1921, it had become quite clear that Moderate opinion, useful as it was to hoodwink the British public, was of no avail to choke the popular movement. The result of the Nagpur Congress disappointed the Government,which had expected

a division in the Congress camp among the Nationalists themselves. A new policy was therefore outlined in their letter to the Local Governments which was referred to by Sir William Vincent in his speech in the Assembly on March 23rd. "For the present, therefore," that letter stated, "the Government of India would prefer to rely on measures such as:

(1) keeping the closest possible watch on attempts by the non-co-operators to spread disaffection among the rural masses and the labouring classes in the big towns or industrial centres;

(2) the initiation and early enactment of remedial legislation wherever, as in the matter of tenancy law in some provinces, such legislation is required;

(3) counter-propaganda, as for example by giving the widest possible publicity to the intention of the Government to introduce remedial measures;

(4) the vigorous prosecution under the ordinary law of all persons who are guilty of making seditious speeches and of inciting to violence and against whom evidence is available.

The Government of India have already urged this measure to which they attach the utmost importance on Local Governments, and they must again express their regret that so far such prosecutions have been instituted only in a small number of cases. The Government of India have refrained, for reasons that have been fully explained to Local Governments, from prosecuting the leaders on the general charge of advocating non-co-operation. But they must again impress on Local Gavernments that this fact constitutes no reason for refraining from prosecuting others.

(5) the enforcement in general of respect for law. Cases have come to the notice of the Government of India in which large crowds have been allowed to indulge with impunity in demonstrations of an obviously unlawful character. Incidents of this kind cannot but tend to weaken the respect for law and order amongst the masses of the people."

ORGY OF REPRESSION

24. It is no wonder that after this admonition the Local Governments all at once indulged in an orgy of repression. They expounded these instructions to their own district officials in circulars which duly dotted the i's and crossed the t's in the Government of India circular. The notorious Rainey circular in Bihar may be cited as an instance. The activities of Non-Co-operators were sought to be suppressed at every turn not only by the proclamation of the Seditious Meetings Act and the Criminal Law Amendment Act, but by a free lawless and tyrannical use of section 144 and the security sections of the Criminal Procedure Code.

GOVT. SERVANTS FORM AMAN SABHAS

25. The district officials were, by a modification of the Government Servants Conduct Rules, authorised to take part in political movements and thus enabled to use undue influence to promote what in the United Provinces are called Aman Sabhas—organisations, membership to which offered the temptation of immunity from official high-handedness. For a time some of the prominent Moderates took a leading part in the activities of these Sabhas but prominent Liberals who joined them had subsequently to resign their membership when they realised the true nature of these organizations. The ridiculous attempt to coerce the people into loving the Government was made, and proved a dismal failure. We draw special attention to the methods employed by the Sabhas detailed in the U. P. Provincial Report extracts from which are given in Appendix VIII *. The instructions of the Government were blindly followed by the magistracy who surrendered their judgment to the exigencies of the administration—witness the debate in the Bihar Council on the order under section 144 on Babu Rajendra Prasad on the ground, not that the Magistrate was satisfied that there was a likelihood of a disturbance of public tranquility but, that he acted in pursuance of the Government circular. In another case under section 107, a police Sub-Inspector in the course of his evidence confessed that he sent a report against a Non-Co-operator on information received from a superior officer and the witness had to be given up as hostile.

BRITISHERS AND ANGLO-INDIANS CALL FOR "FIRMNESS"

26. There is reason to believe that repression in its severe form was started as much in response to the call for it from England as to the apprehensions of the Government of India. The call for "firmness" intensified from day to day and the Emergency Committee of the Indo-British Association commenced an unscrupulous and violent propaganda against the movement. The Moderate element amongst the Britishers in India felt that the agitation in England would have mischievous consequences on the political situation in this country. But a telegram of caution to Lord Ampthill, the president of the Emergency Committee, from Sir Frank Carter, only elicited the insulting reply "Mind your own business." The storm brewing in London at last burst over the heads of the Ali Brothers who were arrested in September and tried by the Court of Sessions at Karachi on a number of charges the more serious of which, *viz.*, those under sections 120-B and 131 †

* Not printed in this book.

† Criminal conspiracy and abetment of mutiny.

broke down completely but convictions and heavy sentences were recorded on the minor charges under sections 505, 109 and 117.* This result of the trial, however, did not prevent Sir W. Vincent from influencing the Legislative Assembly by mentioning a certain letter written by a third party, openly denounced by the Ali Brothers as a forgery, and never produced at the trial, though in possession of the Government all the time, as evidence of the Brothers' complicity in serious offences against the state. That such a statement was allowed to pass unchallenged in an assembly having among its members some lawyers of repute, furnishes another illustration of the utter irresponsibility of the councillors.

THE BROTHERS' OFFENCE REPEATED BY THOUSANDS

27. The Ali Brothers were convicted and sentenced on the 1st November. The Congress took their conviction as an affront to freedom of opinion and repeated the Brothers' offence in the resolutions passed by its committees and from a thousand platforms. Many thousands took part in this reaffirmation. The Government was completely non-plussed and not a single prosecution was undertaken but a desperate attempt was made by a more rigorous use of the Seditious Meetings Act and the Criminal Law Amendment Act to suppress the Khilafat and the Congress Volunteer Corps.

H. R. H. THE PRINCE OF WALES

28. H. R. H. the Prince of Wales arrived in India on the 17th November. On that day happened what Sir W. Vincent has described as a "despicable thing"—the memorable All India *Hartal* which in truth was a remarkable manifestation of the determined will of the nation to condemn the exploitation of the Royal Family for political ends. It was made quite clear from the very beginning that no insult was meant to H. R. H. No reasonable doubt could possibly be entertained on that point after the very full statement made by the All India Committee and the article of Mahatmaji under the heading "Honour the Prince" in the *Young India* of October 27th, 1921. But the bureaucracy would not be turned from the course it had decided upon. The good old rule of the British constitution, that the King was above party politics, was trotted out, in and out of season, by persons who were expected to know better. Every child in the country knew that the visit of H. R. H. was originally intended to give a start to the working of the new Reforms which the country had refused to accept; and that H. R. H. having been prevented by ill health from accomplishing that object, his revered grand-uncle was brought out of his retirement to do so. After this it was but natural to apprehend that the Prince would be called upon in the course of his visit to

* Circulating false statements with intent to cause mutiny, etc.

give his Royal blessing to these very highly controversial reforms, an apprehension which subsequent events fully justified. There was, above all, the great political effect which the bureaucracy was calculating to produce by bringing together All-India to welcome the Heir to the Throne at a time when the whole country was seething with discontent. Despite these patent facts assurance after assurance was given that the visit of H. R. H. was entirely unconnected with politics.

LEADING MODERATE OPPOSED THE PRINCE'S VISIT

The country as a whole was opposed to the visit, even Moderates not being in favour of it. Addressing the Liberal Conference at Bombay Mr. Sastri said:—

Moreover, there was one thing above all which drew the harsh character of this dual Government out and exhibited it in a most glaring form. That was the visit of the Prince of Wales. He did not think there was any one there who desired it most enthusiastically. He certainly did not. He counselled against the visit as long as he could, but the visit came and what happened when the boycott of that visit was proclaimed by the Non-Co-operators ? The result was that Government in order to make it a success against this opposition had to use all the arms in their control. They used all the repressive laws they could think of. The result was that even the Liberal public and the Moderate party stood out of that co-operation with Government in all that went to maintain law and order for which they had previously pledged their word. This had drawn into prominent relief the odious feature of dyarchy. He mentioned this to show that through the action of Government itself the bad nature of dyarchy had been brought out to the knowledge of everybody."

WANTED QUIET ATMOSPHERE FOR H. R. H.

29. Many and various were the forms of repression employed to secure a quiet atmosphere during the visit of H. R. H. It is impossible to describe them fully without exceeding the limits of a report of this nature. It was most lawless and cruel in the Punjab, U. P., Bengal, and Assam. We give in appendix VIII, * extracts from the reports supplied to us by the Congress Committees of these Provinces which will show the nature of the atrocities committed in the name of law and order. Speaking generally many districts in these provinces have from time to time been practically denuded of the more active of their Congress and Khilafat workers by wholesale and indiscriminate arrests and prosecutions under the Criminal Law Amendment Act, and sections 107, 108 of the Code of Criminal Procedure and section 124-A and 153-A of the Indian Penal Code. The United

* Omitted in this book.

Provinces had the unique distinction of having 55 members of their Provincial Committee taken in one sweep by the Police while engaged in discussing a resolution on volunteering at an emergent meeting held in Allahabad. The draft resolution was seized, one by one, every member was asked if he approved of it and on his replying in the affirmative was secured in the police van waiting downstairs on the road. Those who did not move quickly enough had some gentle pressure applied to them from behind and the progress of one at least was accelerated by a mild assault. The 55 were tried under the Criminal Law Amendment Act before a competent court for the offence of drafting and discussing a proposal for the enlistment of volunteers and each was sentenced to 18 months imprisonment which was either simple or rigorous according as each individual impressed the Magistrate with his special aptitude for the particular variety of punishment. There was of course no defence and no appeal, but a special judge subsequently appointed by the Local Government to examine a certain class of political case appears to have advised that these 55 had committed no offence. Attempt after attempt made by the Local Councillors to have this report laid on the table failed and although the Government had finally to admit that the convictions under the charges framed were illegal, it was not so ill-advised as to allow the 55 picked public men of the Province to slip through its hands. And so it came about that these men remained in gaol, some being treated as first class misdemeanants and others as ordinary criminals. The reason given by the Local Government for keeping them in duress vile was that these men had not appealed and that if they had, it would have been open to the appellate court to alter the convictions under some section of the criminal law more applicable to their case. One of them, a strong young man, the bread-winner of his family, has since succumbed to an attack of fever in the Lucknow Jail, the circumstances of which were discussed in the press and an open enquiry demanded but was not allowed. The survivors have now served a little more than half the sentences inflicted, but have so far failed to attract the notice of the Central Government presided over by the Ex-Lord Chief Justice of England.

It may be convenient here to refer briefly to some other notable trials, to show how British justice vindicates itself in India.

DESHBANDHU C. R. DAS' PROTRACTED TRIAL

30. Deshbandhu Chittranjan Das the President-elect of the Congress was arrested on the 23rd December 1921 under the Criminal Law Amendment Act, on the eve of his departure for Ahmedabad for issuing a public appeal calling upon the people to enlist as volunteers. The trial was adjourned from time to time for various reasons till the 12th February 1922. The

accused having declined to plead or make a statement, it became necessary to prove his signatures on the papers purporting to be the original manuscripts sent to the press. Besides some other evidence, the Government expert swore on a comparison of that signature with admitted signatures that the former were in the hand-writing of the person who made the latter. Deshbandhu was convicted and sentenced to 6 months' imprisonment after being detained for about two months as an undertrial prisoner. After his conviction, in a message to his countrymen, he made it quite clear that the signatures found to be his were really written by other persons named by him. Sometime after the Indian member of the Bengal Executive Council, an ex-chief Justice of Madras, intimated that the case of Mr. Das was being considered by the Government, but such was the patient care bestowed by the Government that Mr. Das was released after serving the full sentence before the consideration of his case was completed. The great Hindu leader of Bengal having been secured in prison a Mohamedan leader of eminence was next wanted to complete the triumph of repression. The choice fell upon Maulana Abul Kalam Azad, a respected Mohammadan divine, Vice-President of the Central Khilafat Committee and an earnest member of the Congress who was next arrested, convicted under section 124-A of the Penal Code (Sedition) and awarded a sentence of imprisonment which he has nearly served out.

LALA LAJPAT RAI CONVICTED, RELEASED AND RE-CONVICTED

31. Lala Lajpat Rai, Ex-President of the Congress, was tried under the Seditious Meetings Act for presiding at a meeting of the Provincial Congress Committee. Some correspondence had previously passed between the Magistrate and the Lalaji about the nature of the meeting and the fact that it was merely a committee meeting, not open to the public, was well-known to the Magistrate. Lalaji was however convicted and sentenced to a term of imprisonment. The Law Officer of the Government, who should have been consulted before the prosecution was launched, gave his opinion after the conviction that the Seditious Meetings Act did not apply, upon which Lalaji was released from the prison but was re-arrested the moment he stepped out of the main gate for another offence and in due course convicted and sentenced to a term of 2 years imprisonment which he is now undergoing. Babu Bhagwandas a highly respected citizen of Benares and president of the U. P. Provincial Committee was arrested under the Criminal Amendment Act for issuing and distributing an appeal to the shopkeepers to observe *hartal* on the day of the arrival of H. R. H. the Prince of Wales and sentenced to a term of

imprisonment. The conviction was so utterly absurd that an agitation in the press in which Dr. Subramaniya Iyer, Ex-Chief Justice of the Madras High Court, took part compelled the Government to cancel the unexpired portion of the sentence.

PT. JAWAHIRLAL NEHRU INTENDS TO PICKET AND GETS 18 MONTHS

32. Pandit Jawahirlal Nehru was convicted under sections 385 and 505, Indian Penal Code, for having declared his intention to picket foreign shops in a public speech and for asking the audience to help him. Another charge under which also he was convicted was abetment of extortion based on the fact that he presided at a committee meeting at which letters were agreed to be sent to certain cloth merchants calling upon them to pay the fines imposed by the cloth merchants' own association under their own rules. He was sentenced to 18 months' rigorous imprisonment and is now serving his sentence.

PREMIUM ON FALSE EVIDENCE

33. These are well-known cases which have attracted public attention on account of the importance of the gentlemen concerned. There are other cases, and their number is legion, in which Non-co-operators have been falsely charged and their convictions secured on the flimsiest evidence. This has no doubt been considerably facilitated by the attitude of indifference adopted by Non-co-operators at their trials. The knowledge that they neither defend themselves nor cross-examine witnesses has put a premium on false evidence. The best illustration of this was afforded at the trial of one of the members of this Enquiry Committee (Pandit Motilal Nehru). To prove his signature in Hindi, probably the first he had made in his life, the prosecution called a man in rags, to all appearances a beggar in the street, whom the accused had never seen before. He swore that the signature was of the accused while holding the paper in his hand upside down for half a second. This was the only proof of the signature on a volunteering form and on this evidence the Ex-President and the General Secretary of the Congress was convicted under the Criminal Law Amendment Act, and sentenced to six months imprisonment which he has fully served out.

PROVINCIAL BUDGETS OF REPRESSION

34. The illegalities committed in the course of the trials of Non-Co-operators are, however, nothing compared to the appalling lawlessness which prevailed outside the courts. It may be broadly stated that causing injury to the person, property or reputation of a Non-Co-operator not only ceased to be an offence but came to be regarded as an act of loyalty to the Government of a specially meritorious character. We have

indicated above the general trend of repression in the country and have given a few important extracts from the reports of the Punjab, U. P., Bengal, and Assam Congress Committees in Appendix, * showing specific instances of a grosser kind for which the local administration have earned a wide notoriety. Bombay, Gujrat, Ajmere-Merwara and Central India stand at the other end and may be congratulated on having so far escaped any trouble worth the name. Central Proivnces, (Hindustani and Marahati), Berar, Maharashtra, Karnatak and Tamil Nadu have had their share of repression chiefly in connection with liquor shop picketting. The security sections were freely used in Tamil Nadu and Andhra Desh. Bihar has witnessed considerable display of terrorism in the districts of Muzaffarpur and the Santhal Parganas but has on the whole been quiet. Kerala, comprising the Moplah country, stands by itself for the inhuman barbarities committed by a fanatical population on the one hand, and the infuriated forces of law and order on the other; while the notorious Malabar train tragedy easily beats the worst popular excesses committed in any part of India for the callous disregard of human life it has revealed. Utkal and Andhra have come in for a fair share of severe repression and stand next only to the northern Provinces.

ITS HORRID VARIETIES

35. Taking the country as a whole a general summary of the various kinds of anti-non-co-operation activities may be given in a few short sentences. Gandhi caps and Khaddar dress were anathema to the officials generally throughout India, and marked out the wearer for all kinds of insults and humiliations as also for false prosecution. Assaults on volunteers, stripping them of their clothing and ducking them in village tanks in winter months were some of the innocent practical jokes designed by the police for their own amusement. Confiscation of licences for arms, forfeiture of *jagirs*, *watans* and *inams*, withholding of water supply for irrigation and refusing *Takavi* advances were some of the milder punishments for those who were not charged with specific offences. Destruction of Congress and Khilafat offices and records and of national educational institutions, burning of houses and crops and looting of property were resorted to in the case of the more obstinate recalcitrants. Several cases of forcible removal of jewellery from the persons of women and of indecent assaults and outrages committed on them as well as the burning and trampling under foot of religious books and other sacred objects have also been brought to our notice. The estate of an extra-loyal Zemindar in Utkal has gained a wide notoriety in that Province for cases of

* Not printed in this book.

shooting, assaults on women and a novel method of humiliating and insulting high caste people by sprinkling liquor on them and compelling them to carry night-soil on their shoulders.

WONDERFUL SPIRIT OF NON-VIOLENCE

36. All this the people have borne with admirable patience and self-restraint. The spirit of non-violence has permeated the masses generally beyond all expectation. We can safely assert that there is no country in the world where the people, as a whole, would have stood the horrors, described above, with the almost superhuman self-control shown by the general population of India. It is all very well to shut one's eyes to the due proportion of things and point to sporadic cases of outbursts of violence here and there in a vast country like this, and seek to establish a connection between them and non-co-operation by specious reasoning. We leave it to the unbiassed historian of the future to say whether the responsibility for a few sad occurrences is to be thrown on the non-co-operator or whether he is to be given the sole credit for the general quiet which has prevailed under maddening provocation. It may be difficult for the European mind to grasp that the law of suffering is to the Indian the law of his being. If this is not so, why is it that no serious violence except that on the part of the Government has occurred in a large number of places where repression has taken the severest and most unbearable form? Is the Indian the despicable coward or the weakling who has not the courage or the strength to hit back? The answer, clear and conclusive, is given by the outstanding feature of the situation that it is the martial races of Northern India both in the Punjab and the United Provinces who, while smarting under brutal treatment, have maintained the most wonderful self-restraint. The brave Akalis of the Punjab are, at the moment of writing these lines giving an object lesson to the world in combining invincible courage with cool self-possession, which will add an inspiring chapter to the history of their race, already rich in heroic deeds and brilliant achievements. We refrain from going into the details of the great struggle which is proceeding under the eyes of an admiring world, as we do not wish to anticipate the findings of the Guru-ka-Bagh Enquiry Committee, appointed by the Working Committee, now sitting at Amritsar. For the purpose of this report it is enough to refer to the two statements issued to the press by Mr. C. F. Andrews who has seen the brutalities committed on the unresisting Akalis in the sacred name of law and order with his own eyes, and to leave the reader to apportion bravery and cowardice between the parties according to merit.

STAGE-MANAGED ROUTES FOR THE ROYAL PROCESSION

37. We have not attempted a detailed description of the visit of H. R. H. the Prince of Wales, but the facts so far as they bear on this report may briefly be stated here. That splendid thing—the *Hartal*—followed H. R. H. wherever he went. The bureaucracy left no stone unturned to comouflage the real feeling of the country by lining the route taken by H. R. H. with the hirelings of talukadars and zemindars, the tenants holding lands under the Court of Wards, and ignorant villagers deceived into the belief that they were being taken to have the *darshan* of Mahatma Gandhi; by offers of free motor drives to the people to have a view of their *Shahzada*; in the towns by exhorting and pressing college students and school children through their professors and teachers to assemble at appointed places; and generally by utilizing subservient news agencies to publish highly exaggerated and garbled account of the "warm welcome" accorded to H. R. H. by the people of India. But "here in India we know" (as the Viceroy said in another connection the other day) what really happened. The *Hartals* were an unqualified success everywhere in the Indian quarters and bazaars; the villagers who had come to see Mahatmaji relieved their disappointment by shouting "Mahatma Gandhi ki jai" when the Prince pased; the street urchins gladly accepted the offer of free motor drives only to run back home immediately after arrival at the selected spot long before the Prince passed; college students and school children were conspicuous by their absence in most places, and at one point on the route of the Royal procession in a certain large town lighted a bonfire of foreign cloth on the day of H. R. H.'s arrival; the authorities of the Hindu University at Benares who had erected a huge amphitheatre for a brave show of their young hopefuls, were hard put to fill up the tastefully decorated structure at the last moment and met with but poor success; the subservient news agencies could ill-conceal the determined abstention of Indians of all classes from the functions arranged and gave up the impossible attempt at Allahabad which rose to the full height of its injured dignity at the wholesale arrests of its worthy citizens made immediately before the Prince's visit. But it is said that all this was due to coercion and intimidation. The pertinent question asked by a writer in the London *Times*—who was left in Allahabad to coerce and intimidate, after the numerous arrests of workers which had already been made? has not been answered. Can it be that despite the strenuous efforts of the representatives in India of the "most determined" and "hard fibred people in the world" the whole country from end to end throbbed with one impulse as a result of the coercion and intimidation employed by the handful of those

who, in the words of Lord Reading, "did not represent the real views of the Indian people," and most of whom were secured behind prison walls ? If so, the sooner the most determined pople in the world withdraw their present representatives and entrust their good name to the safe keeping of the handful, the better it would be for the future happiness and progress of both.

STILL THE PRINCE CARRIES BACK PLEASANT MEMORIES

38. H. R. H. the Prince of Wales has come and gone carrying with him, it is gratifying to learn, the most pleasant memories of his visit. It has been our unpleasant duty to deal with the sad memories left behind in the trial of the Royal Progress by the action of those who laid its course through troubled seas and tried in vain to lash the wave into submission. We can only repeat the assurance, so often given by the Congress, that India entertains no ill-will or disrespect to H. R. H. or his Royal House.

CHAPTER III.

THE TRIUMPH OF NON-VIOLENCE

AHMEDABAD CONGRESS

39. A consideration of the various activities mentioned in the foregoing chapters will show that the first stage of the Non-Co-operation movement had already reached its high water-mark before the Ahmedabad Congress was held. The principal resolution passed at that memorable sessions summarises the whole situation which the Congress had to face, and unequivocally accepts the challenge thrown out by H. E. the Viceroy in his Delhi and Calcutta speeches. For convenience of reference that resolution is reproduced.* We have already referred to the high spirit in which the workers, assisted by the general public, carried out the directions of the Working Committee embodied in its resolution passed at Bombay on the 23rd November 1921. They had now the authority of the whole Congress behind them and strove to keep up the good fight with redoubled courage and determination during January and part of February, with such effect that the forces of repression were all but overpowered. In Northern India, from the extreme west of the Punjab to the extreme east of Bengal and Assam, the wholesale arrests of all grades of Congress workers, and other repressive measures employed by the Government failed to shake the resolute determination of the people to stand on their natural rights of free speech and association. In Calcutta, Allahabad, Lucknow and other places, too numerous to mention in detail, batches of volunteers wearing their badges and carrying Swaraj

* Omitted in this book.

banners marched, one after the other, in an endless stream along the public streets and in front of police stations offering themselves for arrest but were mostly allowed to go scotfree. The lock-ups were full, the gaols were crowded. Repression ceased to keep pace with the great upheavel and dropped its heavy hand through sheer satiety. Early in December H.E. the Viceroy had frankly admitted that he was "puzzled and perplexed". And now the whole machine began to creak and showed signs of an impending breakdown. On the 29th January Bardoli took the momentous decision to launch mass civil disobedience, Mahatma Gandhi described it as "its (Bardoli's) final and irrevocable choice" and sent an ultimatum to the Viceroy. Expectation ran high. The country was all agog to witness the final triumph of soul force over physical might. But the gods had willed it otherwise. The crime of Chauri Chaura was perpetuated on the 5th February 1922 and changed the whole outlook. The Working Committee met at Bardoli on the 11th and 12th February and resolved that "mass civil disobedience contemplated at Bardoli and elsewhere be suspended, and this suspension be continued till the atmosphere is so non-violent as to ensure the non-repetition of popular atrocities such as at Gorakhpur or hooliganism such as at Bombay and Madras". All activities "specially designed to court arrest and imprisonment" and "all volunteer processions, public meetings, merely for the purpose of defiance of the notifications regarding such meetings" were stopped till further instructions and a new programme of constructive work was laid down.

BARDOLI-DELHI RESOLUTIONS

40. It is perfectly true, as explained by Mahatma Gandhi at the meeting of the All-India Committee held in Delhi on the 24th and 25th February, that by this resolution it was not intended to go back upon the Nagpur non-co-operation resolution in any way; but there can be no doubt that the principle and policy laid down at Ahmedabad were completely reversed to the great disappointment of an expectant public. The concession made by the All-India Congress Committee to public feeling by empowering Provincial Committees to sanction individual civil disobedience, if all the conditions laid down by the Congress and the All-India Congress Committee and the Working Committee were strictly fulfilled, failed to create sufficient enthusiasm to carry on the constructive programme with the earnestness it deserved.

MAHATMAJEE'S ARREST AND CONVICTION

41. Mahatma Gandhi saw this and lost no time in directing his inexhaustible energies to disseminate a correct appreciation of the situation. But in the strength of the Mahatma lay his weekness in the eyes of the Government. No living man could

have possibly checked the surging tide of popular excitement at the point it had reached by simply raising a finger of warning as the Mahatma had done. But this phenomenal hold on the public mind was taken to be a sign of waning influence and the opportunity was seized to arrest India's greatest son. British statesmanship had gone bankrupt and the art of Government had deteriorated into special pleading and blind submission to the outcry raised by the reactionaries in England and the British element in the services in India. The Mahatma was tried, convicted and lodged in gaol. The thrilling incidents of his short trial are fresh in the public mind and the noble sentiments he uttered from the dock have sunk deep into the very soul of the people. The Mahatma went smilingly to prison and the people paid their homage of reverence by observing that exemplary self-restraint and perfect non-violence which were so dear to his heart. We need say no more than what he has himself said in the great statement he made at the trial.

ABSENCE OF MAHATMAJI

42. No man other than the Mahatma could lift the wet blanket thrown upon most of the workers by the Bardoli-Delhi resolutions or effectively divert the course of Congress activities into the channels marked out by those resolutions. If he had only been given an opportunity to make one of his lightning tours through the country, we have no doubt that the history of the last six months would have been differently written. We are, however, more concerned with what is than what might have been. It is as unprofitable to inquire what would have happened if Mahatma Gandhi had not been arrested and sent to prison, as it is to discuss the soundness or otherwise of the decisions taken at Bardoli and Delhi about which conflicting opinions have been expressed before us. The solid fact which cannot be ignored is that the Bardoli-Delhi resolutions and the subsequent incarceration of Mahatma Gandhi were followed by general depression throughout the country. Whether that depression justifies the hopes of the moderates and the bureaucracy is a different matter and will presently be gone into.

WANT OF ADEQUATE FAITH IN SOME OF THE WORKERS

43. We have carefully investigated the causes of this apparent set back and have unhesitatingly arrived at the conclusion that it was due almost entirely to a want of adequate faith in the constructive programme on the part of a large number of workers whose business it was to carry it out. In the disappointment of a sudden check of enthusiasm the great potentialities of that programme were overlooked and it was assumed that there was no urgency about it as it involved steady work extending over years. This

apathy of the workers was reflected to a degree in the general public, but the faith of the latter in the Congress and in the teachings of Mahatma Gandhi remained unshaken. Witnesses from all parts of the country speaking from direct local knowledge have testified to the outstanding features of the crisis through which the country is passing. These are : (1) the general awakening of the masses to their political rights and privileges (2) the total loss of faith in the present system of Government (3) the belief that it is only through its own efforts that India can hope to be free (4) the faith in the Congress as the only organisation which can properly direct national effort to gain freedom, and (5) the utter failure of repression to cow down the people. Our own personal observation in the course of our tour round the whole country fully corroborates the evidence on these points. We have found the general population permeated with the indomitable spirit of a great national awakening unprecedented in the history of the human race for its wide sweep and rapid growth. The great bulk of the people showed complete lack of confidence in the Government and were found to be firm believers in non-co-operation and all that it stands for. Repression, where it had done its worst, had no doubt left behind it a trail of sorrow and suffering but failed to crush the spirit of the people.

VARIATIONS OF TEMPERATURE

44. There were, it is true, what may be called variations of temperature noticeable from town to town and province to province, according as the cold wave of repression emanating from the Government was more or less continuously applied by its local agents with or without the addition of freezing mixtures of their own invention. But with the exception of an almost invisible margin for Moderates and Vested Interests, both Indian and Foreign, the length and breadth of non-co-operation was found to correspond with the length and breadth of India. And where the mercury stood low it but needed the warmth of the least breath of encouragement to rise to the normal attained by the country as a whole. This in brief is the net result of the progress of Non-Co-operation on the one hand and of the countering forces employed to check it on the other. But strangely enough the evidence of the witnesses recorded by us, fortified as it is by our own observations receives additional support from unexpected quarters.

THE WHITE PAPER

45. The famous White Paper containing the Government of India's "general appreciation of the situation as regards Non-Co-operation" was published in March last on the eve of Mahatma Gandhi's arrest. In this document, at the end of a laboured justification of the policy of the Government by a thorough

misrepresentation of the aims, objects and methods of the movement, the fact, that non-co-operation has true nationalism and religious motive power and has spread far and wide, is thus grudgingly admitted.

"Nevertheless though the impracticable nature of the demands of Non-co-operation is realised by sober and sensible Indians, it has not been possible to ignore the fact that the Non-co-operation movement has to a large extent been engineered and sustained by nationalist aspirations, and so far as Mohammedans are concerned by religious feelings which have a strong appeal to those also who have not adopted its programme."

BAD FAITH AND INSINCERITY OF GOVERNMENT DAWN ON MR. SASTRI

46. The true state of feeling in the country has been quite evident for sometime past to all but those who will not see. Even Mr. Sastri could not fail to discern it during his recent meteoric flight across the Indian sky. He told his fellow "Liberals" in the Conference assembled at Bombay in April last that:—

"He had never known such profound distrust of Government as existed to-day, such absolute lack of faith in their sincerity, a rooted tendency to put aside all their pledges, promises and declarations as of no value whatever."

"CHOSEN VEHICLES OF BENEVOLENT SPIRIT"

A fortnight later in the course of a post-parandial oration at the Viceregal Lodge the same gentleman addressing himself to the brilliant galaxy of officials whom he described as "chosen vehicles of the great spirit of benevolence that has always ennobled the British Government in its mission in the world" permitted himself to say :—

"We never have seen in the country such a lack of hope and faith in the Government of the day. I say this in all solemnity. We have never seen such a total lack of faith by the people as to-day."

VICEROY IGNORES HIS TRUSTED ALLY

47. Lord Reading ignored the grave warning uttered by his trusted friend and ally and about a month after the above sentiment was expressed at his hospitable board tried to convince the members of the commercial communities who waited on H. E. in deputation that "the Government which is representative of India in a greater degree than previous Central Governments is inspiring trust and confidence." The failure of a strong Secretary of State like Mr. Montagu to gauge real Indian feeling notwithstanding personal visits and inquiries on the spot has clearly demonstrated the futility of any attempt on the part of British statesmen to get at the true bearings of Indian problems. A new Under-Secretary of

States, with no special knowledge of the situation, and with the predispositions of Earl Winterton can only derive sustenance by the careful spoon-feeding he receives from Simla and Delhi. We thus have the noble Earl delivering himself as follows in the recent Indian debate in the House of Commons :—

"The Government of India preferred to wait until the barrenness of his (Mahatma Gandhi's) political faith and its total failure to produce any constructive results had disillusioned his more intelligent supporters. Then his downfall was accepted by his followers with comparative coldness, while with the ignorant who had been taught to repeat his name and had been expecting the date of his promised Swaraj and several times seen it pass, the bubble of his supernatural attributes was summarily pricked."

THE BUBBLE OF MAHATMA'S SUPERNATURAL ATTRIBUTES

48. The general awakening of a fifth of the human race to political consciousness, attended it is true with a *contre-temps* now and then, is here treated as a "total failure to produce any constructive results" and while healthy differences of opinion among non-co-operators as to certain items of the programme are supposed to betoken a disillusionment of the more intelligent supporters of Mahatma Gandhi, credit is given for the absence of violent outburst among the masses on the occasion of Mahatma's arrest to the summary pricking of the "bubble of his supernatural attributes." What does, in fact, account for the absolute quiet which prevailed after his arrest is the touching appeal repeated for the thousandth time in the same article in these words :—

"It is a matter of no pride or pleasure to me but one of humiliation that the Government refrain from arresting me for fear of outbreak of universal violence and awful sloughter that any such outbreak must involve. It would be a sad commentary on my preaching of, and upon the Congress and Khilafat pledge of, non-violence, if my incarceration was to be a signal for a storm all over the country ....I hope therefore that the Congress and the Khilafat workers will strain every nerve and show that all the fears entertained by the Government and their supporters were totally wrong. I promise that such act of self-restraint will take us many a mile towards our triple goal. There should therefore be no *Hartals*, no noisy demonstrations, no processions. I would regard the observance of perfect peace on my arrest as a mark of high honour paid to me by my countrymen."

Mr. Gandhi was either believed to be a saint or he was not. If he was not, there was no bubble to prick. If he was, no Indian could disregard the touching appeal contained in the above passage even at the cannon's mouth. But the bureaucracy would have it

both ways, and thus the building of the fools' paradise goes on from day to day.

ANOTHER OFFICIAL APOLOGIST

49. Mr. Rushbrook Williams, the official apologist, in describing the general results of non-co-operation in his "*India of 1921-22*" is reluctantly compelled to admit the existence of a widespread feeling of patriotism, though he limits it to the classes only and colours it with the dyes prepared and placed at his disposal by the Secretariat. The paragraph runs as follows and may be taken as a fair sample of the ostrich-like simplicity of the official mind, which in the presence of undeniable facts seeks refuge in make-beliefs—

"But when we turn to consider the campaign as a whole it would be idle to assert that it was infructuous. Whether the results obtained are desirable or undesirable will be demonstrated beyond all possibility of doubt by the mere passage of time. But that these results are real is no longer open to question. Mr. Gandhi's intensive movement during the year 1921 and 1922 has diffused far and wide among classes previously oblivious to political considerations, a strong negative patriotism born of race hatred of the foreigner. The less prosperous classes both in the town and in the countryside have become aroused to certain aspects of the existing political situation. On the whole this must be pronounced, up to the present, the most formidable achievement of the non-co-operation movement. That it has certain potentialities for good will be maintained by many, that it will immensely increase the dangers and difficulties of the next few years can be denied by few."

The above statement shorn of its adjectives and qualifying phrases comes nearer the truth than the official statement made by Earl Winterton in the House of Commons.

THE VICEROY AGAIN—CONFIDENT YET DESPAIRING

50. On a par with the forced optimism of the Under-Secretary of State is the recent important pronouncement made by H. E. the Viceroy on the occasion of the opening of the Legislative Assembly. But it will be noticed that the confident tone in which the speech opens is in marked contrast to the counsel of despair which pervades His Excellency's concluding appeal to the councillors :—

"Here in India we know that they (the Non-Co-operators) do not represent the real views of the Indian people, but can you wonder that they created a deplorable impression upon the British people throughout the Empire notwithstanding the devotion and loyalty of the great majority of the people of India."

It may pertinently be asked what is the great majority of the people of India composed of if not of the masses ? But in the very

next passage of his speech His Excellency felt called upon to urge his audience to "make an appeal to the intelligence of the masses and command their sympathy" and added :—

"We must convince them of the sincerity of our purpose, we must make them feel assured that the first motive of all our actions is their ultimate well-being. You must attempt to diffuse that clearer vision with which you have been gifted. You must help others to share in that wider outlook and in those opportunities for material welfare which you enjoy. Defensive tactics alone will not suffice. We must lead and guide upwards and onwards. The task is not easy, it requires application, it calls for patience, but it is one which I am confident that your efforts can bring to a successful issue. It is a task in which you may rely on the fullest support of my Government and of the Civil Services, who, in the face of much misrepresentation and hostility, have freely and unsparingly co-operated to work the reformed constitution and continue to labour for its success. They are ready to help you and they also look for your help. You hear around you propaganda against the Reforms; your rights are assailed by misrepresentations; your privileges and prospects are attacked: your achievements are belittled; your aims are vilfied."

PRIVILEGES AND PROSPECTS OF COUNCILLORS

51. It is difficult to understand the nature of the devotion and loyalty of a people whose intelligent sympathy has yet to be gained and who have yet to be assured of the sincerity of those to whom they are devoted and loyal. And what is more, it is admitted that "the task is not easy, it requires application, it calls for patience." Confidence is no doubt expressed in the efforts of Councillor "to bring the task to a successful issue" but it has to be followed up with an assurance of the "fullest support of my Government and of the Civil Services" coupled with a significant reference among other things to their "privileges and prospects". The thoroughness with which things are managed by the Government is simply marvellous. Councillors are earnestly exhorted to "diffuse that clearer vision with which they are gifted" with all the resources of the Government and the Civil Services at their back and with an eye to their own privileges and prospects, with no other object than to gain an audience and enlist the sympathies of the very people whose chosen representatives they are. Strange are the ways of the "devoted" and the "loyal"—they flock in their thousands and tens of thousands to Non-co-operation meetings which do not represent their views, at the call of the town or village crier and leave those, to whom they are devoted and loyal, severely alone until the art of "gentle persuasion" is practised by some of the more distinguished Services, chiefly the Police. However that may be; we

take this opportunity of thanking His Excellency for the information that we have succeeded in "creating a deplorable impression upon the British people throughout the Empire." As for what "here in India we know," that, we fear, is even more deplorable from the point of view of His Excellency.

THE PREMIER'S NOD—MORE ELOQUENT THAN HIS WORDS

52. The recent historical speech of Mr. Lloyd George, which has so upset our Moderate friends, and the very able discourse of H. E. the Viceroy on the effect of ministerial nods on the meaning of words will be considered in connection with the question of the entry of Non-co-operators into the Councils to which both directly apply, but it may be observed here in passing that these official utterances are symptomatic of that mental state which is produced by disappointed hope and finds expression in bluster. If Non-co-operators have so utterly failed with the electors, as we are assured they have, where was the necessity of threatening them with dire consequences if they dared to wreck the Reforms. It is only necessary to add that these great pronouncements have left the Non-co-operators entirely unruffled.

OUR FRIENDS, THE MODERATES

53. We have so far dealt with the strength of the non-co-operation movement in the country and in doing so have referred to the general effect of the overwhelming evidence given before us, the result of our own observations, and the more important official statements made from time to time. We have purposely refrained from noticing the attacks made on the movement, from the platform and in the press, by certain leading Moderates as any attempt in that direction would have landed us in an unprofitable controversy with our own countrymen leading to its inevitable aftermath of bitterness and chagrin. It may, however, be stated without fear of contradiction that whatever differences might exist as regards the principles of the movement and their application to the various spheres of Congress activity no Moderate of any note has so far denied that the sole credit for the great national awakening we see to-day belonged to Non-Co-operation. On the contrary the foremost of them have ungrudgingly admitted the great success we have achieved, coupled though such admissions have invariably been with an expression of disagreement with the particular items on the programme. We give below a quotation from the speech of Sir Chimanlal H. Setalvad at Ahmedabad in May last which may be taken as a fair representation of general Moderate opinion. He said :—

"I quite acknowledge that the Extremist party did good work up to a point. When they awakened the public to political

consciousness, when they roused their self-respect and patriotism they did a great service......I also acknowledge, gentlemen, the other directions in which good work has been done by the non-co-operation party. They have done well in arousing the feeling in favour of Swadeshi and in asking people to remove the untouchability of the depressed classes."

TREMENDOUS FORCE BEHIND CONGRESS

54. It is thus established beyond doubt or cavil that the Indian National Congress has now a tremendous force behind it which neither oppression nor repression can suppress. Whether non-co-operators are giving a true or a false lead to the country, whether they have succeeded or failed in carrying out the various items of the programme, the fact remains that the future Government of this country under the present system is an utter impossibility except for a time, and that only by the continued use of the severe forms of repression which can but drive the iron deeper and deeper into the soul of the people. Those who have the eyes to see can read the answer to the recent threats uttered by the Prime Minister and the Viceroy in the grim determination of the people to continue the struggle at all cost till they are masters in their own house.

CHAPTER IV.
SUCCESSES AND FAILURES

EFFECT ON COUNCIL ELECTIONS

55. We propose in this Chapter to deal briefly with the results attained in the various items of the non-co-operation programme, the successes achieved and the failures sustained. We shall first take the boycott of Legislative Councils. The Special Session at Calcutta was held on the eve of the first elections and Congress workers were called upon to concentrate their whole energies on making the boycott of the Councils a success. The call of the Congress was responded to in a manner which astonished the Government and the opposition Press alike. All nationalists whether they had favoured or opposed the boycott in the Congress loyally stood by it and withdrew their candidatures even though, in some cases, considerable trouble and expense had already been incurred. The vast majority of voters faithfully followed the lead by abstaining from going to the polls notwithstanding the undue pressure put upon them by the authorities and some zemindars. Here is Sir Valentine Chirol's appreciation of one of the elections in a letter to the London "*Times*" :—

"I drove out to a polling station in an important village about 15 miles from Allahabad on the road to Partabgarh.... ....

When we reached the big village, almost a small township, of Soraon there was still nothing to show that this was the red letter day in the history of modern India which was to initiate her people into the great art of self-government. Only the little Court-house, we found, had been swept and garnished for use as a polling station.

"Inside, the presiding officer with his assistants sat at his table with his freshly printed electoral roll in front of him and the voting papers to be handed to each voter before he passed into the inner sanctuary in which the ballot boxes awaited him. But from 8 in the morning till past 12 not a single voter had presented himself in the course of the whole day."

56. Official statistics indicated that from 70 to 80 per cent. had abstained from voting for the Provincial Councils, while about 80 per cent. had abstained from voting for the Legislative Assembly, and in spite of the peculiarity and the narrowness of constitution of the Council of State, 60 per cent. did not go to the polling booth. Ingenious explanations were offered by the Moderate and Anglo-Indian press to cover up the complete defeat of he Government and the non-representative character of the candidates "elected," but independent critics who totally disapproved of the non-co-operation policy and deplored the Council boycott, felt compelled to acknowledge the futility of the elections. Says Colonel Wedgwood M. P.:—

"The elections have been held, but such elections were hardly worth holding. Vast numbers who would have voted have taken the easy course and stayed at home. Altogether about 24 per cent. of the electors have voted—more in Madras and Bengal and fewer in Bombay and the Central Provinces. Everywhere the Mahomedan constituencies have had pitifully few voters, for, to the Mahomedan Non-co-operation is now part of his religion."

Disgusted that the enlightened public opinion of India should have boycotted the Reforms, the Colonel added:—

"The elections are finished, incompetent self-seekers have brought their seats and all the intelligence and 'pick' of the National party growls outside." "It is a bad position," he concluded, "and any sane Government would have postponed the elections on the chance of a compromise."

Other critics, who were unwilling to admit the failure of the reforms and anxious to make much of the fact that the Councils were full, admitted that the quality had suffered in view of the boycott. Referring to the new councillors, the "*Nation*" (London) wrote :—

"There may be highly respectable persons among them, wealthy men, men enjoying decorations but on the whole they are

elderly (sic) and timid men who have little driving power, little initiative and no great popular following."

EFFECT ON SCHOOLS AND COLLEGES

57. Simultaneously with the active propaganda for boycott of councils, Mahatma Gandhi toured round the country calling upon lawyers to boycott the courts and upon students to give up Government and aided institutions. The first attack was directed against the M. A. O. College, Aligarh, by Maulanas Mohamed Ali and Shaukat Ali, and later by Mahatma Gandhi. Mr. C. R. Das led the campaign in Bengal as a result of which thouands of students left Government schools and colleges in Calcutta and the *Muffassil*. Sir Ashutosh Mukerji, speaking as Vice-Chancellor of the Calcutta University, testified to the success of the Non-Co-operation movement amongst the student community of Bengal. Similar propaganda met with striking success in the Punjab and the other provinces. A large number of national schools and colleges sprang up all over the country supported by public contributions and staffed by teachers who were men with burning patriotism and self-reliance and who worked cheerfully in spite of financial difficulties. While some of the students who had come out of Government schools joined the National schools and colleges or became Congress workers, the majority was obliged to return gradually to their old schools owing to the unfortunate paucity of national institutions. The boycott of schools and colleges resulted in adding to the ranks of Congress workers some of the more ardent young men, whose patriotism and enthusiasm have greatly advanced the cause of the country.

SPIRIT OF N. C. O. IMBIBED

58. A good deal has been made of the fact that a large number of students who had originally come out of the Government educational institutions have gone back; and it is claimed that the boycott has failed. It must be admitted that so far as effort was directed to the weaving of the students from Government schools and colleges, it has met with poor success but it cannot be doubted that the spirit of non-co-operation has been largely imbibed by the student population of the country as a whole. This has been demonstrated time after time by the attitude of the students in regard to various public activities. Non-co-operators have addressed huge public meetings largely attended by students and have been listened to with patience and consideration, while prominent moderates, including some of those who have enjoyed the universal confidence and respect of the student class, have repeatedly failed to obtain a hearing from their erstwhile admirers. We do not for a moment commend this behaviour of the students towards respected moderates. Mahatma Gandhi and many othe

prominent workers have condemned it unsparingly from the platform and in the press, but the fact remains that moderate opinions have become intolerable to young men of the country to such an extent that they forget themselves as Indians and lapse into Western methods of marking their disapproval. The truth is that if they do not one and all leave their schools and colleges it is because they have nowhere else to go for any education whatever and not because non-co-operation does not appeal to them. With them it is a case of choosing the lesser evil which they fully recognize. The moral victory of non-co-operation is complete. It has destroyed the prestige of Government institutions and put the students on their guard against their evils.

NATIONAL EDUCATIONAL INSTITUTIONS

59. We have already adverted to the inadequacy of National educational institutions to meet the large demand made on them. The very nature of the struggle precluded the thorough organisation of National colleges and schools, but the enthusiasm of the students and of the teachers kept these institutions going, however inefficient and inadequate they were. The Bardoli resolutions rightly stopped all active propaganda against Government educational institutions and directed the various Congress bodies to improve the quality of education and to better the organisation of national institutions in order to attract students from the Government colleges and schools. The present conditions of the national institutions all over the country is far from satisfactory. They are all working heroically under great disadvantages and disabilities. The teachers receive a bare living wage. The buildings are mostly rented and are unsuitable. In most cases the syllabus of studies is identical with that of the Government institutions with the exception of the charka, the hand-loom and the compulsory learning of Hindi. Almost every institution visited by us was in financial distress.

Notwithstanding only silght changes in the course of studies in these national institutions, the very fact of their being carried on without Government aid has produced a perceptible change in the character and outlook of the teachers and pupils.

LAWYERS, LITIGANTS, AND LAW COURTS

60. What we have said about students, schools and colleges applies *mutatis mutandis* to lawyers, litigants and law courts. If success is to be measured by the number of lawyers and litigants abstaining from resorting to the courts, it must, as in the case of students, be admitted that this item of the programme has failed. It appears that between 1,200 and 1,500 lawyers in all suspended practice as a result of non-co-operation in the whole country. This number is insignificant compared to their full strength and it has

now been further reduced by some of them having gone back to practice for private and other reasons. But such of them as have adhered to their resolve to keep out of the Courts have done splendid service to the cause. The fact that practising lawyers in far larger numbers are whole-heartedly supporting the movement in different ways, specially in the constructive part of the programme and in liberally contributing to the Tilak-Swarajya Fund shows that the profession as a whole has well caught the spirit of non-co-operation. The action of a number of Bar Associations in passing resolutions condemning the repressive policy of the Government in strong and clear terms, of the Calcutta Bar Library in cancelling the dinner to Lord Reading as a protest against that policy, of the Madras Vakil's Association in entertaining the lawyer members of the Congress and Khilafat Civil Disobedience Enquiry Committees in the Association Rooms of the High Court building and giving a firm and dignified answer to the threats of the Chief Justice communicated through the Registrar will always redound to the honour and credit of the profession. At the same time it is true that some lawyers chiefly those in the front ranks of the bar have expressed their disagreement with the principle and programme of non-co-operation and others have actually opposed it.

LAWYERS' PLACE IN THE PROGRAMME OF N.C.O.

61. While the principle on which the boycott of Courts is based is perfectly sound, we feel constrained to say that it has been carried to undesirable lengths in practice. There can be no doubt that practising lawyers who adopt the Congress Creed are fully entitled to join all the component parts of the organization and to hold offices to which they may be elected by the free exercise of the franchise. There is no disqualification placed on them by the Congress, but Mahatma Gandhi advised them to be content with the part of unseen actors behind the scenes, and this advise was interpreted by the more enthusiastic committees as placing a ban on practising lawyers; and some Provinces actually framed rules disqualifying them from holding any office. This in itself would be strong enough reason for all self-respecting practising lawyers to keep outside the Congress against their own inclination, but the unpardonable discourtesy with which they came to be generally treated effectually shut them out from all public activity. The movement thus lost the support of the most efficient body of men by what can only be characterised as an entirely false step. There is no reason why a wholesale importer of foreign cloth should be freely admitted into all Congress organisations and even to responsible offices under it, whilst respected practising lawyers, known for their special aptitude for public work, were studiously and sometimes offensively excluded. It is true that some of the

foreign cloth importers and Indian mill-owners contributed handsomely to the Tilak-Swarajya Fund, but the lawyer class as a whole was never given the chance to rise to the full height of its well-known open-hearted liberality in support of public movements. We trust that the All-India Committee will pay immediate attention to this matter and make the *amende honorable* to a deserving class which in the past has furnised the back bone of public life. It should however be clearly understood that we suggest no change in the boycott of Government educational institutions by students or of courts by lawyers and litigants as it stands in the Congress resolution. The principle involved in it is, as we have already stated, perfectly sound and must be maintained to keep the ideal before the public mind. Mahatma Gandhi has explained the position very clearly in the following passage in the "*Young India*" of the 8th December 1921 :—

"We are no longer in the dark. We have the result of fifteen months' working of the new method. Rejection of courts, schools and councils is an integral part of the programme. We may not give up parts because we have not achieved full success, if we are convinced that in themselves they are desirable. Although we have not succeeded on emptying the three institutions, we have demolished their prestige. They neither worry nor dazzle us. That many parents, many lawyers and many law-givers have not responded, shows that we must make a greater attempt to wean them, not now by arguing but by the exemplary conduct of abstainers. For me they are the Government. Just as I may not apply for a paid post because no Government servant resigns, I may not join the ranks of voluntary servants because the latter do not come away. I am convinced that the country has risen because of the abstention even of the few from association with these emblems of the existing Government.

Inadequate response is an eloquent plea, if you will, for establishing better schools and panchayats, not for confession of incapacity by returning to the flesh pots of Egypt."

PUNCHAYATS

62. The establishment of punchayats was the necesssary concomitant of the boycott of courts and was taken up in right earnest. From October 1920 to January 1921 a very large number of these sprang up all over the country. Many of them worked well, a few prove inefficient. Lacking the necessasy sanction behind them, these National courts could at best work under serious disadvantages but the hand of repression descended heavily on them and in many Provinces made a clean sweep of the punchayats with all their paraphernalia. In the United Provinces a regular hunt for *panches* was organised by the police and there were scarcely any

who were not given some experience of the inner working of police stations, the lock-ups and the gaols. The evidence shows that in the Punjab, Bengal and Behar a number of *panchayats* are still working more or less satisfactorily; but on the whole the attempt to have any proper sustitute for the existing courts has undoubtedly failed—thanks to the zeal of the agents of law and order. In some places, the scope and function of *panchayats* were wholly misunderstood and a complicated system in close imitation of the procedure obtaining in the British Courts involving appeals, reviews of judgment and revision of orders and the appointment of judicial and ministerial staffs was evolved by some legal genius. Such a system was foredoomed to failure and the wonder is that it worked well for a time. It is scarcely necessary to point out that the essence of a *panchayat* lies in the confidence placed in it by the public and not in elaborate artificialities of procedure. It would be well for Provincial Committees to frame a few simple and uniform rules for the guidance of subordinate committees with such modifications of the old rules of caste *panchayats* as the altered circumstances of the country require.

TITLES

63. There is no item of the programme which has met with so striking a success as the boycott of titles. We say so dliberately and with full knowledge of the fact that there have been few renouncements and that the periodical "honours" lists have been as full as ever—perhaps fuller, owing to the extraordinary increase in the eligibles by the addition of those who supported the Government in its campaign of repression. But the honour and glory of it has departed for ever. Titles have ceased to be paraded in public and semi-public functions outside Government Houses and official documents and the uncomfortable bearers of 'honorific' prefixes to their names prefer to be referred to as plain Pandit, Lala, munshi or Mr. while the man in the street turns away from them the moment he discovers their abnormality.

SWADESHI

64. The whole effort under the head Swadeshi has been concentrated on the production and popularising of Khaddar. It is gratifying to find that in 16 out of 19 Congress Provinces very considerable progress has been made, though the production is slow and unable to keep pace with the great demand. In Appendix III * we have summarised all the available information and it is unnecessary to go into details here. The Khaddar department has recently been placed under the competent direction of Seth Jamnalal Bajaj who is devoting his entire energies to it. The result of his endeavours is not before us and it is premature to offer

*Not printed in this book.

any suggestions on the system he has inaugurated. There are, however, a few important points in this connection which require immediate attention. The great demand for Khaddar has tempted foreign manufacturers and local dealers to introduce a foreign substitute for Khaddar in the Indian markets and the fraud has been so cleverly carried out that it defies detection. The Khaddar depots in the larger towns easily lend themselves to this fraud as the demand on them is great and the sources of supply are limited. It has also been our painful experience to find that certain unscrupulous producers of the finer textures in and around Bezwada which had justly earned the reputation of being the modern Dacca of India have, in their cupidity, allowed the good name of their district to suffer in public estimation, to the serious detriment of themselves and the more honest members of the trade. It appears that these profiteers have used foreign and Indian mill-made yarn in great quantities to meet the enormous demand from other provinces. Not many of the numerous Khaddar Bhandars dotting the whole country deal exclusively in the genuine stuff. Indeed it has now become impossible to say with certainty of any particular piece that it is Shudh Khaddar without elaborate enquiries, the result of the majority of which is highly unsatisfactory. It is said that there are experts who can distinguish the genuine from the spurious article but it is impossible to refer every purchase to them. We have carefully considered the question and, in our opinion, the only way out of the difficulty is to confine all Congress activities to the encouragement of the cottage industry and abandon all attempts to supply the requirements of dwellers in towns by opening large stores and depots and stocking them with cloth of unknown origin. We are not against manufacturing centres under competent supervision. We were shown one in the village of Uttukuli in the Coimbatore in Tamil Nadu District where every process from the ginning of cotton to the production of the finished article was carried out under the management of Congress workers and we are assured that there are many others of a similar nature in various places in Southern India and elsewhere. We suggest the appointments of a small committee of experts to go into these questions at an early date. It is noteworthy that the boycott of foreign cloth has already made itself felt in Lancashire.

THE TILAK-SWARAJYA FUND

65. It is to be regretted that the collections for the All-India Tilak Swarajya Fund have greatly been hampered by excessive repression and the general depression which followed it. Most of the workers who were in special charge of this important branch of the work are now in gaol. Numerous Congress offices have been

raided by the police and account books, receipt forms and other important papers taken away—not in connection with any case pending in Court or under police investigation but in a purely lawless manner upon which it is easy to frame serious indictments if there were some Court to try them. But we have to wait for the constitution of such Courts and meanwhile the collections must go on with the help of such workers as the gaols are too full to receive. Another reason why subscriptions to this fund have not poured in freely from all directions is that no statements of account showing receipts and expenditure could be published by Committees who were deprived of their records by the police in the manner stated above. It is but natural for the public to make sure of what is being done with the money they have already paid before putting their hands into their pockets again. We trust that the public will realise the difficulties under which Congress work is being carried on and that the workers will try their best to meet the wishes of the public by making up and publishing such accounts as are possible on the existing data. We have in the course of our tour drawn the special attention of Committees and workers to the importance of this item of the programme.

A copy of the duly audited statement of accounts showing the result of Mahatma Gandhi's first big drive is printed as Appendix VI * for the satisfaction of those who have needlessly allowed their peace of mind to be disturbed by the apprehension that the crore of Rupees announced on the 1st July, 1921, might not have been actually subscribed. The statemnt will show that the crore was over-subscribed by Rs. 12,91,407-0-11.

CONGRESS MEMBERSHIP

66. The work of registering Congress members has also suffered for similar reasons. Provinces more or less free from repression have done a little better than those subjected to it in all its severity but, on the whole, the results are entirely unsatisfactory. This was put down either to repression or to the depression caused by the Bardoli resolutions and in Upper India to both. The work was taken in hand with energy in every Province as we passed through and we expect has, by now, made fair progress. We expect from the great enthusiasm prevailing in the whole country that the registers would be full soon after they are opened.

VOLUNTEERS

67. The devotion and readiness for sacrifice demonstrated by the Congress volunteers during the December—January campaign is not likely to be forgotten by the public as well as the authorities. We wish we could say the name of their discipline ; but if they were

* Not included in this book.

wanting in it, the fault was not entirely theirs. It must be remembered that they had little time between enrolment and arrest to receive any training and that many of them were taken before they could register their names. Experience has, however, shown that greater care is necessary in future recruitments in enlisting the proper men. That some of the so-called volunteers have done no credit to themselves or to the movement has been clearly established, but with this reservation no unprejudiced person can withhold his meed of praise from the brave and earnest men who came forward in response to the call of the country in their thousands regardless of consequences. Many of them are still in gaol, many have returned to their ordinary avocations for want of any particular work to do and many more are ready for the sacrifice as soon as it is called for.

UNTOUCHABILITY

68. Untouchability is a sore point in Southern India and to some extent in parts of Central and Western India. With a few notable exceptions, much practical work has not been done to remove this blot from the fair name of India. There is, however, a perceptible change for the better slowly coming over the country. The difficulty is that the problem is wrongly mixed up with religious belief. The most gratifying feature of the situation is that the mental state of antipathy has all but disappeared. There is, therefore, no room for despair.

ANTI-DRINK CAMPAIGN

69. A vigorous anti-drink campaign accompanied in a large number of cases with picketting of liquor shops was carried on throughout the country in 1920 and 1921. The immediate effect was a marked decline in the consumption of liquor but after the removal of the pickets the pendulum swung back and the evil asserted itself again in full force. But the movement has served to focus the attention of all cases of people on the drink evil such as no previous agitation succeeded in doing.

INTER-COMMUNAL UNITY

70. The Prime Minister of England in the famous speech recently delivered by him in the House of Commons has thus justified the maintenance of the Indian Civil Service for all time to come:—

"There is great variety of races and creeds in India, probably greater variety than in the whole of Europe. There are innumerable divisive forces there, and if Britain withdrew her strong hand nothing would ensue except divisions, strife, conflict and anarchy."

Now the strong hand of Britain is the "British Civil Service in India." Remove the cause of "divisions, strife, conflict and

anarchy" and you take away the sole justification for the continuation of that distinguished service. There can be no question that inter-communal differences constitute the sole cause of "divisions, strife, conflict, and anarchy" and that inter-communal unity which means the removal of that cause means also the removal of all justification for the continuance of the Civil Service. It is not necessary to possess a very high order of intelligence to understand this.

THE CIVILIAN MENTALITY

71. There are men among the members of the Indian Civil Service who believe that there is an impassable gulf which runs between the different communities, specially between the Hindus and Mohammedans, and that they can never unite except for the purpose of overthrowing the British Empire. This was clearly shown during the Punjab Martial Law regime. A distinct count of a long charge framed by a responsible member of the Indian Civil Service, against the accused, was "fraternization" or "abetment of fraternization" of Hindus and Mohammedans with intent to overthrow the Government by law established. This fraternization consisted in Hindus and Mussulmans drinking water out of one and the same cup or tumbler which orthodoxy strictly forbids to Hindus generally and also to a certain section of Mussalmans. It was not a sort of loving cup passed round to seal a secret compact between these revellers in pure water but just simply a case of quenching thirst or moistening the throat from time to time during intervals in shouting "Mahatma Gandhiki Jai" and " Allah-o-Akbar." But the criminal intent was there for they were sinking one of their vital differences in that little cup of water. The accused were convicted and heavy sentences ranging from transportation for life to imprisonment with hard labour for shorter terms were passed, and but for the Royal clemency all these men including the present Minister of Industries in the Punjab Government would now have been rotting in gaol. The average civilian sees danger in the two communities coming together unless both sides are known to be thoroughly "loyal."

THE INDIAN MISCHIEF-MAKER

72. There are among Indians certain classes of men in and out of Government Service—no country in the world is without such men—who believe that by promoting "divisions, strife, conflict, and anarchy" they would either be helping or pleasing the Civil Service and thereby advancing their own interests. These men never fail whenever a suitable opportunity arises, such for instance as Bakrid, Moharram, or Dasahra, to set one community against the other by false reports or by doing or having something done to kindle the fire of religious frenzy just at the moment when

excitement runs high. Nothing is easier than throwing a stone at a *tazia* procession or introducing a piece of beef in a temple or a slice of pork in a mosque on the occasion of some great festival. Some members of the community whose religious feelings are thus outraged lose their heads and go for the members of the other community present on the spot and serious results follow. There are reprisals and counter-reprisals sometimes lasting for days.

THE ONLY RADICAL CURE

73. The great curse of India is the highly excitable religious susceptibility of the people which furnishes an easy handle to mischief-makers under the best of conditions. Hindus and Mohammedans have lived as good neighbours for ages, they understand each other thoroughly, certainly more thoroughly than an Englishman can ever hope to understand either; they know that one community can gain nothing by insulting the religion of the other but the mischief-maker knows the weak points of both and never loses his opportunity. The only radical cure for the disease is the entire elimination of the mischief-maker, but that, in view of the conflict of interests we have pointed out above, cannot happen unless and until the costly maintenance of the Indian Civil Service ceases to depend upon "divisions, strife, conflict and anarchy"; in other words, unless and until Swarajya is fully established. It is only then that the mischief-maker will lose his occupation and think of some other opening for his activities. Meanwhile all that can be done is to minimize the chances of his success, which Congress workers both Hindu and Mohammadan are trying to do.

MALABAR AND MULTAN

74. The joint efforts of the Congress and the Khilafat in combating the activities of the mischief-makers have succeeded to a very considerable extent, but there is undoubtedly room for much greater improvement as evidenced by the deplorable events in Malabar and the more recent regrettable outburst in Multan. We refrain from going into these sad occurrences in detail as, in the case of Malabar, a separate enquiry is being held by another Committee appointed by the Working Committee under the chairmanship of Mr. Faiz Tyabji, Bar-at-Law, an Ex-Judge of the Madras High Court, and in the case of Multan the occurrence is too recent to admit of a correct analysis of the true facts. But whatever the origin of these disturbances, they can only be regarded as national calamities and the misdeeds committed in both places cannot be too strongly condemned. It is re-assuring, however, to find that the leaders of the two communities in both places are adopting all possible measures to restore harmonious

relations. But for the echo of Malabar and Multan occasionally heard here and there the relations between the two communities in the rest of the country are satisfactory. Not a few attempts of mischief-makers to stir up trouble have on various occasions been successfully frustrated by the timely intervention of Congress sand Khilafat workers.

CHAPTER V.
CIVIL DISOBEDIENCE

THE SITUATION

75. In the previous chapters we have passed in rapid review the History of Non-co-operation from its inception to the present time, the victories it has won and the reverses it has suffered. We have also traced the course of the Government policy of severe and reckless repression to stifle the movement by every means in its power. It is not easy to determine with any approach to exactitude the balance of gains and losses on each side. The Government and its supporters claim a decisive victory but while proclaiming from house tops that non-co-operation is dead they look over their shoulders to make sure that the non-co-operator if not actually upon them even as they speak. The latter fully conscious of his strength and confident of ultimate success lays no claim to complete victory. There is no victory for him till the Government of the country passes into the hands of the people of the country. What then is the true position at the present moment? Let us sum up briefly.

POSITION OF CONGRESS

76. The Congress worker after holding his own for two long years against a mighty Government, despite heavy casualties finds himself suddenly checked at the very moment he, rightly or wrongly, believes that he is ready to deliver the final blow, and is practically told (for the best of reasons be it conceded) to begin again, with no guarantee that he will not be similarly checked at the end of the second course of preparation by some individuals losing their heads in one or more outlying parts of this vast country. A couple of weeks later public feeling asserts itself at the meeting of the All-India Congress Committee and in response to it the right to regulate individual civil disobedience, aggresive and defensive, hitherto vested in Provincial Committees is restored to them. Soon after this Mahatma Gandhi goes to gaol, leaving behind a strict injunction against demonstration of any kind whatever. That injunction is too sacred to be disregarded but the modification of the Bardoli

resolution secured at Delhi provides a wide enough outlet for the pent up feelings of the people as well as full opportunity for a strenuous prosecution of the constructive programme. That outlet is effectually closed by the Working Committee almost immediately after Mahatmaji's incarceration and the concession grudgingly made at Delhi is practically withdrawn by the grave warning to Provincial Committees (dictated no doubt by considerations of the highest prudence at that particular juncture) "against any hasty use of the powers conferred upon them in respect of individual civil disobedience, whether defensive or aggressive." The worker whose zeal was tempered with a love of excitement finds himself ill at ease with what he considers to be the humdrum part of the work and takes little interest in it. The worker fired with a genuine enthusiasm sharpened by the love of the work for its own sake falls an easy prey in the hands of the police who pick him up wherever he is found carrying on his innocent activities, under one of the convenient sections of the Code of Criminal Procedure or even without the trouble of appearing to act under colour of law. The All-India Committee again meets at Lucknow and finding it to be the general sense in the country that a step forward should be taken appoints this Enquiry Committee to go into the question and report on the situation after a full investigation. The country now awaits a proper lead from the All-India Committee. This is one side of the picture.

POSITION OF THE GOVERNMENT

77. The Government mistakes the Bardoli resolution as a sign of weakness and interpreting the modification made at Delhi as an index of the waning popularity of Mahatma Gandhi lays violent hands upon him. It is further encouraged by the calm and quiet atmosphere which prevails after the arrest to accelerate the speed as well as the severity of repression, making it almost impossible in many provinces for any constructive work to be peacefully done. Knowing full well that such enforced quiet can never secure the contentment of the people, it hopes, after the manner of all alien and despotic Governments, to keep them under its heel by terrorism, and there is a constant display of the might of the Empire,the military and the armed police are in evidence everywhere. The members of the Legislatures, who were in the beginning petted and pampered, having after repeated trials been found sadly wanting in influence over the people are now relegated to the position which is theirs under the Reforms and treated with scant courtesy, little short of utter contempt. When scolded in the council chamber for exercising their undoubted rights, even under the shadowy Reforms, their loyalty to the constitution, so dear to them, suggests a meek submission to further castigation in the ante

chamber of the Government House as a fitting expiation for their atttempt at independence and a prudent move to secure a fresh lease of life. The Government based on physical might and incapable of recognising the existence in the unvierse of a superior force tries to believe that non-co-operation lies prostrate at its feet. The necessity for permitting its spoilt child, the councillor, occasionally to tread on its toes having thus disappeared and with it the desirability to spare the rod, it reminds him that his 'prospects' depend on its own good will, euphemistically described as the good will of the British Nation and dismisses him with a broad hint that he might do worse than acquiesce in the legislation desired by it. After these achievements it makes an effort to settle down but feels uneasy at the near approach of the new elections and realizing that the non-co-operator has the support of the country behind him threatens him with terrible consequences if he dared to wreck the reforms. Convinced in its heart of hearts that the non-co-operator is not made of the soft material found in the composition of the obsequious councillor, the Government also awaits the decision of the All-India Committee for its own purpose—the forging of new weapons to meet the new situation. This is the other side of the picture.

NO CHANGE FOR ITS OWN SAKE

78. There is a general demand for some decisive step without any definite suggestion as to the direction in which it is to be taken. We fear that such a vague demand is consciously or subconsciously based on the single desire to enthuse the worker, who without caring to consider the immense potentialities of the Bardoli resolution has allowed his zeal to abate. We may say at once that we are not influenced by any such desire and our answer to it is to be found in the following words of Mahatma Gandhi :—

"Some friends argue that in order to continue the struggle the people need some stimulant. No person or nation can be kept alive merely upon stimulants. We have had much, too much, of it latterly. And the antidote now is a depressant. If therefore depression follows the cessation of all aggressive activities and people forsake us, it would not only not hinder our cause but help it. Then we shall not have to shoulder the responsibility for a Chauri Chaura. Then we would go forward with a steady step without any danger of having to look back. If however we can survive the depression and keep the people with us, we shall have positive proof that the people have caught the message of non-violence and that the people are as capable of doing constructive work as they have shown themselves capable of doing destructive work. Whatever the result, the present excitement must be abated at any cost."
—*Young India, March 2nd, 1922.*

The step to be taken must therefore be one called for by the actual need of the hour and not merely to satisfy the desire for a change however general it may be.

DECISIVE STEP NEEDED

79. The evidence given before us shows that there is not only a general desire but a pressing need for some form of civil disobedience to be adopted, without which it is difficult to abvance the constructive work and carry on the normal activities of the Congress in the face of the determind opposition set up by the Government at every step. There is a very large number of witnesses who believe in constructive work both on its own merits and as a means of preparing the people for mass civil disobedience. The majority of these consider the immediate adoption of defensive individual civil disobedience in some form on a large scale to be necessary for the vigorous prosecution of the work. Only a few can think of the constructive programme as a thing apart from mass civil disobedience and quite sufficient in itself for the ultimate attainment of Swarajya. Fewer still have any hope of the success of the constructive programme without the adventitious aid of individual civil disobedience, offensive or defensive, from time to time as occasion arises. Then we have a class of witnesses who while they fully appreciate the importance of constructive work do not believe in it as an essential step either towards civil disobedience or the attainment of Swarajya. It will thus be seen that the need for some definite action is clearly established. The only question is what is to be the nature of that action and which of the various proposals made is the most suitable.

STRINGENT TEST OF PREPAREDNESS

80. We shall first take mass civil disobedience which is specifically mentioned in the resolution of the All-India Committee passed at Lucknow.

The first and the most important general observation to be made is that if the stringent tests laid down by the All-India Congress Committee in the resolution passed at Delhi on the 4th November 1921, are to be applied, no province, district or tahsil in India, except perhaps Bardoli which was at one time declared to be ready, is fit for mass civil disobedience. It cannot be said of any district or tahsil that "therein a vast majority of the population have adopted full Swadeshi or are clothed out of cloth handspun and hand-woven and believe in and practsie all the other items of non-co-operation". If the necessity or propriety of this test were not questioned we should not have felt justified in pursuing this question any further. But we find there is a body of opinion specially in Bengal which, while it attaches due importance

to the disirability of fulfilling the conditions laid down, does not regard them as essential for a resort to civil disobedience. In view of this we shall refer briefly to the evidence adduced before us.

GENERAL MASS CIVIL DISOBEDIENCE

81. A reference to Appendix VII* will show our general classification of witnesses on this and other important points. Of the various forms of civil disobedience referred to above what is known as general mass civil disobedience including the non-payment of taxes has found only four staunch supporters (Group A) out of the 366 witnesses we have examined and 93 others who have submitted written opinions only. It is hardly necessary to examine the grounds on which these four gentlemen think that the country is ripe to embark upon a campaign of such vast magnitude. The principal factor in determining the readiness of the people at large to resort to any particular form of civil disobedience is the readiness of the chief workers who have to bear the whole brunt of directing the campaign ; and if we can find no more than four persons in all India to shoulder the responsibility we think we can without examining their evidence in detail safely ask the country to wait.

GENERAL NO-TAX CAMPAIGN

82. We then have two groups of witnesses (B and C) numbering three and five respectively. The first of these advise the immediate launching of a general no-tax campaign throughout the country but would not break any other laws ; and the second advocate the adoption of immediate mass civil disobedience limited to particular laws and taxes only. What we have just said about the first group of witnesses applies with equal, if not greater force, to the evidence given by these gentlemen and it is unnecessary to notice it further. Of the remaining 447 witnesses 9 (Group G) are against mass civil disobedience in any form on principle apart from the readiness or otherwise of the people to undertake it and the rest with the exception of a few who have offered no evidence on the point have given it as their considered opinion based on personal knowledge that the country is not yet ready to embark on general mass civil disobedience at present. Many of these latter class estimate the time requisite for the necessary preparation of the district or province which they come from at varying periods from 6 months to 6 years or more.

COUNTRY NOT READY

In view of the recommendation we are going to make on the whole subject of civil disobedience we do not feel called upon to enter into these speculations. *It is enough to state here that the*

* Not included in this book.

country is not ready at present to undertake general mass civil disobedience or a general no-tax campaign in any Province or District.

LIMITED MASS CIVIL DISOBEDIENCE

83. The question of adopting mass civil disobedience in reference to a particular law and order or some local or provincial tax, *e.g.*, the Chaukidari-tax in Bengal stands on a different footing and cannot be decided on general considerations. It is obvious that a situation may suddenly develop in a particular locality demanding an immediate resort to civil disobedience of this nature by persons thoroughly prepared for it. *No hard and fast rule can be laid down for such an emergency and it must in all cases be left to the Provincial Committee to permit such civil disobedience after fully satisfying itself of the urgency of the case and the readiness of the people concerned to suffer all the consequences with perfect non-violence.*

DEFENSIVE INDIVIDUAL CIVIL DISOBEDIENCE

84. We next come to individual civil disobedience. The weight of evidence preponderates in favour of the type known as "defensive" which claims no less than 243 supporters who are ready to make a beginning at once. Out of these 112 are equally strong in favour of the aggressive form. There are 161 others who favour both forms but are not quite ready for an immediate resort to either. Lastly there are 9 who are opposed to both in principle. This short analysis will show that the Delhi resolution of the 24th—25th February last crystallizes the general effect of this evidence on the subject and fully meets the wishes of all the witnesses, except the 9 last mentioned. In permitting both aggressive and defensive individual civil disobedience generally in all provinces it satisfies the general demand for it, and in subjecting it to the previous sanction of the Provincial Committees it brings those, who are ready to begin at once, into line with those who are not, for it leaves the question of readines or otherwise to the decision of the Provincial Committee.

But the Delhi resolution of the 24th—25th February applies only to individual civil disobedience and cannot include mass civil disobedience, even in the restricted form which as we have pointed out above must also be left to the discretion of the Provincial Committee. On a review of all the evidence and the circumstances of the country it seems to us that the best course would be to restore Resolution II passed by the All-India Congress Committee at Delhi on the 4th—5th November which gives Provincial Committees all the powers necessary to determine upon a resort to civil disobedience of any kind whatever and cancel Resolution I, cl. I, passed on 24th—25th February to the extent it

conflicts with the earlier resolution with the reservation that general mass civil disobedience is not permissible.

WORKING COMMITTEE RESOLUTION EXPLAINED

85. We wish here to make it perfectly clear that the warning uttered by the Working Committee on the 17th, 18th March last at Ahmedabad was never intended to restrain a Provincial Committee from permitting individual civil disobedience, aggressive or defensive, if the conditions laid down were fully satisfied. That warning had special reference to the very critical period of Mahatma Gandhi's arrest and even then was directed against the "hasty use of powers." Now that the country has successfully emerged from the greatest trial of endurance and self-control it could be subjected to by remaining thoroughly non-violent at the arrest and imprisonment of the great leader of the movement, the warning of the Working Committee has spent its force though of course a "hasty use of powers" is always to be avoided.

ILLEGAL ORDERS NOT BINDING.

86. Having regard to the determination of the Government, as evidenced by the action of its subordinates, to suppress every activity of the non-co-operator, whatever its nature, we are clearly of opinion that the normal work of the Congress should not be allowed to suffer under any circumstances by resson of any illegal orders that may from time to time be issued. The point we wish particularly to emphasize is that there is nothing wrong or illegal in the prosecution of the constructive programme as laid down at Bardoli and reaffirmed at Delhi and that any orders designed to interfere with the carrying out of that programme under the cloak of law can only be characterised as dishonest and can have no binding force whatever. Disobedience of such orders is not civil disobedience.

CAN BE RIGHTFULLY DISOBEYED

87. It is evident that a law or order to have any binding effect must be legally in force and applicable to the given case; if it is not, there is no sanction behind it and there can be no question of civilly disobeying what is *ipso facto* void. On the contrary, it would be the legal right of the most law-abiding citizen in the world to ignore and disregard it altogether if it interferes with his business or the performance of his duty. For example, the Criminal Law Amendment Act, Part II, can only apply to a district or province if a proper notification, declaring certain associations within the district or province to be unlawful, is duly promulgated by competent authority. Suppose such notification is not issued, or, if issued is not in accordance with law, there can obviously be no offence under the Act. There are good reasons for holding that the notifications issued by the Bengal and U. P. Governments were not according to law. Again, take the

very much misused section 144 of the Code of Criminal Procedure which is applicable only to urgent cases of nuisance or apprehended danger and requires certain legal formalities, the observance of which is essential. Even when all the fromalities are duly complied with it has only temporary effect within reasonable bounds. It is well known that a large percentage of the orders issued under this section were wholly without jurisdiction and absolutely void, not a few being actually dishonest. No law has, to use the language of Mahatma Gandhi, been more "prostituted to serve the base ends" of the authorities than this section. We give in Appendix VIII* the judgment of the Judicial Commissioner of Oudh in a typical case of this nature. It is no matter for surprise that even after and in spite of this judgment, and in Oudh itself, orders of the nature held to be invalid by the highest Court in the province continued to be passed and were complied with in the belief that non-compliance would amount to civil disobedience which had not been sanctioned by the Provincial Congress Committee. The general impression among a large section of workers and Congressmen is that they would be resorting to civil disobedience if they refused to comply with any order of a magistrate or of the Police, good or bad, and it is this impression which has hampered Congress work on the one hand and accentuated the demand for the commencement of mass civil disobedience on the other. The "prohibited public meetings" mentioned in the example given in the note appended to the resolution of the All-India Congress Committee must be taken to mean such meetings as had been prohibited by a lawful order passed by competent authority; otherwise no question of civil disobedience, mass or individual, aggressive or defensive, could possibly arise. But the omission of this qualifiation, probably due to the obvious nature of it, has caused misconception. *We desire, therefore, to make it perfectly clear that civil disobedience, as we conceive it, has nothing whatever to do with illegal orders and that it is the indisputable right of every citizen to break them at will.* At the same time we must not be understood to advocate the breaking of these orders by all persons and at all times without reference to the exigencies of the case. We fully recognise that it is difficult for those who are not lawyers to form a correct opinion about the validity or otherwise of particular orders, and would therefore advise a reference to the Provincial Committee before action is taken by individuals. *In all such cases the Provincial Committees would do well to indicate the line son which alone action may be taken and further to make it clear whether they are advising civil disobedience*

* Omitted in this book.

or merely non-observance of an illegal order. It is not the case that all orders under section 144 are invalid ; if that were so, section 144 would be superfluous which it certainly is not. We have thought it necessary to drew attention to this point with a view to remove a general misconception and to make it clear that our proposals in regard to civil disobedience do not apply to illegal and invalid orders which stand on a different footing altogether.

We trust that when these points are made clear there will be no further difficulty in adopting the right course whenever the normal activities of the Congress are interfered with.

CHAPTER VI.
ENTRY INTO LEGISLATIVE COUNCILS

PART I

Views of Sriyuts Kasturi Ranga Iyengar, M. A. Ansari and Rajagopalachariar

88. Three of our esteemed colleagues have recommended the removal of the boycott of Councils from the non-co-operation programme. We regret we cannot agree to this conclusion. After the commitee's tour was concluded, at its sitting at Patna on the 16th August there was a full consultation among the members and resolutions were recorded on the various points at issue and on this question of entry into Councils all the members except one recorded their opinion against any change in the existing programme. But on the 7th October, when the committee met at Delhi to pass their report to the All-India Congress Committee, it transpired that two of the members had reconsidered their position, and that the committee was equally divided over this question. Hence it has become necessary for us to record our views separately. We have not had the advantage of perusing the portion of the report recording the opinion of our esteemed colleagues which is in the course of preparation, though they have explained their main reasons and conclusions orally to us.

ENTRY INTO COUNCILS A RETROGRESSION

89. The proposal of entry into the Councils, in whatever form, involves a distinct violation of the principle of Non-co-operation and a clear departure from the policy of the Congress which was inaugurated in the Calcutta Special Session and was re-affirmed at Nagpur and Ahmedabad. The striking success which attended the carrying out of this part of the Non-Co-operation programme throughout the country has already been described in Chapter IV. It is in our opinion a very unwise policy to abandon this item of the Non-Co-operation programme

instead of devising suitable measures to bring about even more striking results in the ensuing elections. The Legislative Councils are the institutions on which the Government chiefly relies for its strength and prestige. To enter the Councils now would be a retrogression in the policy of the Congress, and would enable Government to regain its lost prestige.

"Not the least encouraging sign of the present situation," said Sir George Lloyd, the Governor of Bombay, in his address to his Legislative Council on the 21st September last, "is the fact that in several parts of the country some of those political groups who were once adherents of the non-co-operation programme and of the boycott of the machinery of responsible Government are now, if rumour speaks truly, coming round to a view favourable to the Councils and have decided in future to prosecute their political aims through the constitutional machinery expressly set up for that purpose. This is a distinct step in advance and is itself a valuable testimony to the ever increasing prestige of the Reformed Councils."

On the other hand, the effect of the proposal on the people is well brought out in the evidence of Mr. Santanam* :—

Hakimji—Q.—Does your Committee think it useful to go into the Councils?

A.—We have not discussed the question in the Committee. I think the very discussing of the question will be harmful to our country and to non-co-operation.

Q.—What is the harm ?

A.—The people will begin to think that our movement has failed. And this will be a blot on our movement. If we discuss going into the Councils, then there is no need of non-co-operation.

Pandit Harkaran Nath Misra † is of the same opinion :—

Hakimji—Q.—Do you think going into the Councils will have a very bad effect on the public mind ?

A.—Certainly.

Dr. Pattabhi Sitarammayya‡ (Andhra)'s opinion is seen below:—

A.—I am convinced that the Government will not be brought to its knees through the Councils. Deadlock will fail. We know what weapons Government have.

Panditji—Q.—You say that even if the Congress were to pass a resolution premitting entry into Councils, public opinion would not support it ?

A.—They would simply view it as a fall of the Congress and failure of Non-co-operation.

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* Secretary, Provincial Congress Committee, Punjab.

† Secretary of the Provincial Congress Committee, U. P.

‡ Editor of Janmabhumi.

Q.—Even if Mahatma Gandhi himself were to put it before them ?

A.—They would still consider that non-co-operation has failed.

COUNTRY GENERALLY AGAINST ENTRY

90. Throughout the country in our tour it was clearly brought home to us that public opinion was strongly against any change in the Congress programme of boycott of Councils. Even in Poona, Nagpur and Akola, Maharashtra leaders who were in favour of entry into Councils admitted that their proposal would receive very little support in public meetings. In the evidence which has been adduced before this Committee the witnesses who gave evidence on the subject are classified in the following manner :—

	Number of witnesses.
Against entry into Councils	302
Against entry into Councils but for contesting elections	1
For entry into Councils only if Fatwa is revoked	3
For entry into Councils if civil disobedience is abandoned or not launched for the present	5
For removal of ban and making entry optional ...	7
For entry into Councils with Congress mandate ...	23
For entry into Councils with majority only ...	18
For entry into Councils even in a minority ...	11
For entry into Councils for total obstruction ...	15
For entry into Councils for responsive co-operation	36
For entry into Councils for utilizing Councils as they are	36
For entry into Councils and running elections by Congress	4
For entry into Councils and running elections by individual effort	1
For entry into Councils for responsive non-co-operation	3

It will be seen that witnesses who are against entry into the Councils form an overwhelming majority. Taken by provinces, in seventeen the majority of witnesses are overwhelmingly against entry into councils, while only in two, the opposite view is supported by a small majority. There is no doubt that the country generally is against entry into the Councils.

NEGLIGIBLE NUMBER FOR TOTAL OBSTRUCTION

91. With reference to the objection that entry into Councils will be a violation of the policy and principle of non-co-operation, our colleagues maintain that their proposal is not open to that charge, as they would go into the Councils with the sole object of wrecking the reforms, strictly ruling out all minor benefits. Their proposal is to recommend to the All-India Congress Committee that " the time has come to carry the fight into the councils on lines of strict Non-co-operation, *viz.*, for the purpose of wrecking the reforms. This they propose to achieve by total obstruction." This very proposal was fully discussed at the Special Session of the Congress held at Calcutta in September 1920 and was rejected. Of the witnesses examined by us, who favour entry into councils, only 15 are for total obstruction, the rest would utilise the Councils in some way or other. It is needless to emphasise the fact that the proposal of our colleagues stands shorn of support from all but an extremely negligible number of Congressmen in the country, and is very different from the position taken up by the leaders like Messrs. Kelkar, Aney and others who have been agitating for the removal of the boycott of councils for sometime past. Dr. Moonje (Nagpur) stated that he is not for a policy of total obstruction at once but would have mandates from Congress from time to time. He would vote with the Government for beneficial measures :—

Mr. S. Kasturi Ranga Iyengar—Q.—You said you have no objection to Ministers being appointed from among the non-co-operation party in the Councils ?

Dr. Moonje—A.—Not only have I no objection, but I would wish that they should be selected from our party.

Q.—But the Minister is expected to co-operate with the Executive Government in many respects ?

A.—He may co-operate so long as he obeys the Congress mandate. There is no harm in that.

Mr. Abhyankar (Nagpur) also would not obstruct all measures of Government but only the harmful ones.

Mr. Kelkar (Poona) leaves the same impression in his answers.

Panditji—Q.—Do you wish to go into the Councils to co-operate or non-co-operate ?

Mr. Kelkar—A.—To non-co-operate in the sense of resisting whenever possible. If it is a beneficial measure I would not oppose it.

EVIDENCE OF PRO-COUNCIL WITNESSES

The evidence of Mr. A. Rangaswami Iyengar (Madras), Mr. Ram Das (Andhra) and Mr. Satyamurti (Madras) is also of the same character,

Panditji—Q.—But the whole question and the principal reason for not going into the Councils is that you will, by entering the Councils, be frittering away your energies on side issues and little things, and lose sight of the real objective.

Mr. Rangaswami Iyengar—A.—My own feeling is that by doing these little things in the Councils, we will be very much assisted in the Congress work than otherwise.

Mr. C. Rajagopalachariar—Q.—I am asking you what you will recommend me to do if I stand for a seat in the Council. Am I to move proposals in connection with subjects such as education and land revenue?

A.—In so far as they are intended to carry out the Congress programme and for the removal of injustice.

Q.—If good measures are brought by Government and are opposed on account of party or vested interests, shall we strengthen the hands of Government?

A.—We ought to support the Government in preventing the evil.

Q.—We should not take up an attitude of total obstruction?

A.—No.

Mr. V. Ram Das's (Andhra) opinion is that, "people should not go into the Councils for the purpose of creating a deadlock. My view is that Congressmen who enter into the Councils should not defeat the reform scheme but should work it......I will help the Government if they want to pass any good measure. I will oppose, if they are going to pass any bad measure."

Mr. Satyamurti:—

Mr. Rajagopalachariar—Q.—I believe you are out for total obstruction?

Mr. Satyamurti—A.—I shall be for anything which leads us to Swarajya. I do not decide.

Q.—I wish to know whether anything more can be done by way of pledges or mandates?

A.—I think they degrade humanity. It really promotes hypocricy. I am not in favour of Congress mandates or pledges from the Council candidate.

Mr. Kasturi Ranga Iyengar—Q.—You will take up whatever measure you consider necessary in order to attain Swarajya, irrespective of the principles of non-co-operation?

A.—Yes.

In contrast with these statements, our colleagues hold that "they would on no account whatever modify the totality of the obstruction by any compromise in the shape of responsive co-operation or responsive non-co-operation."

CHANCES OF MAJORITY REMOTE

93. Notwithstanding the preponderating opinion of the Congressmen to the contrary our colleagues hold that a lead must be given to the country in the direction of the entry into Councils. We cannot agree with them that it is proper thus to brush aside the opinion of the vast body of Congress workers and of the country at large. It involves at the very outset a diversion of the public attention and energy from the constructive programme to a campaign of converting the vast body of Congressmen to the new programme. The strong and overwhelming testimony of Congressmen is also important to show that if the proposal recommended by our colleagues is adopted, the chances are remote for obtaining such a majority at the elections as is one of the essential conditions of the success of the scheme. The constitution of seats in the Legislative Council with its class, communal and special interests renders it absolutely impossible to secure a majority sufficient to create deadlocks in the manner contemplated. Moreover even if the non-co-operators succeed in getting into the Councils in large numbers it is highly impracticable to obtaining Congress mandates with reference to their action in the Councils and to secure effective discipline. We should not forget the words of Lala Lajpat Rai in his speech at the special Session of the Congress at Calcutta :—

"There is a great deal of force in what Mahatma Gandhi said that in all these Councils there was an insidious poison which might demoralise our men who go to these Councils. There is a great deal of absolute truth in this. I know from actual experience that many of my noble friends, whose patriotism I do not dispute, whose high motives I have no reason to question, have had their patriotism and their nationalism poisoned by going to these Councils."

The following extracts from the evidence will illustrate the difficulties referred to above :—

PANDIT HARKARAN NATH MISRA (U. P.)

Panditji—Q.—On principle you are against going into the Councils. From the practical point of view, principle apart, do you think that the only conditions upon which non-co-operators may enter the Councils are most difficult if not impossible to be performed?

A.—Yes. This is it.

EMINENT LEADERS DISQUALIFIED

94. A large number of non-co-operators including the most eminent leaders, Mahatma Gandhi, the Ali Brothers, Lala Lajpat Rai, Maulana Abdul Kalam Azad, Mr. Yakub Hasan, Maulana Abdul Majeed Sharar, Pandit Santanam, Mr. Jitendra Lal Banerji, Mr. Shyam Sundar Chakravarty, Mr. George Joseph, Mr. Jawaharlal

Nehru, Mr. Krishna Prasad Son Gupta, Mr. Purshottamdas Tandon, Dr. Varadarajulu Naidu, Mr. Shankerlal Banker and many others of our best men—are disqualified under the rules by reason of sentences passed on them. We are of opinion that so long as the rule is maintained it will be inconsistent with self-respect and dignity for non-co-operators to think of entering into the Councils. Public opinion in this respect is well reflected in the following extract from the evidence of Babu Rajendra Prasad :—

Panditji—Q.—We have been fighting for the sake of self-respect. Having regard to the fact that there is disqualification attached to some of the workers because they have been convicted by British Courts and sentenced to periods of imprisonment for over six months, is it consistent with self-respect to go into such Councils and send only such people as are not so disqualified and to submit to the disqualification by sending those who are not disqualified ?

A.—It would be cowardice to go, and I use the word for want of a stronger term.

OATH AND N. C. O. PRINCIPLES VIOLATED

95. In our opinion entry into the Councils for the avowed purpose of obstructing all measures whether good or bad and of wrecking the reforms is obnoxious to the principle and the spirit of the movement as conceived by its great leader. When the proposal was discussed in 1920 Mahatma Gandhi deprecated it on the ground that it was not a good and honest policy to get entrance into an institution in order to wreck it. Further, every member is required to take the oath of allegiance which includes a solemn promise "faithfully to discharge the duty upon which he is about to enter." No conscientious person can stand for election with the avowed object of wrecking the institution and take such an oath, and except by casuistry or mental reservation can feel justified in adopting such a course. Indiscriminate obstruction will be a manifest violation of the oath, and it should be repellant to every sincere believer in the basic principles of the non-co-operation movement, which has hitherto been conducted on a high moral plane.

ENTRY INTO COUNCILS FUTILE

96. It is needless to state that the powers reserved by the Government under the Act and Rules are sufficient effectively to prevent any deadlocks that may be attempted and to overcome all kinds of obstruction. They can also make further rules to meet such contingencies and to prevent the entry of non-co-operators with the declared object, not of constitutional opposition but of wrecking the very institution. The Government would have no compunction to exercise its powers in all these respects. It has been expressly declared at the time of the passing of the Act that

the exercise of such powers should not be deemed abnormal. It is contended that to force the Government to exercise such powers and to reduce the administration to naked Civil Service rule would expose the real character of the Government and further the ends of non-co-operation. We may, however, point out that the Government can well maintain that they have no other course open to them to meet the extraordinary situation created by us. We should not be understood to say that it is wrong or immoral to wreck the reform scheme or the institution created thereunder. One of the objects of the non-co-operation movement is to attain this very end ; but it should be achieved from outside and by our own efforts and not by the tortuous method proposed. The scheme appears to us futile and an unworthy expedient to be adopted by our great National Assembly for the attainment of Swaraj.

FAILURE OF DIARCHY ALREADY PROVED

97. Where is the need for the non-co-operators to exert their energies to enter the Councils, in order to wreck the Reforms when they already stand exploded ? It has been abundantly shown during the last two years that the diarchical system is a complete failure and that the bureaucracy is still all-powerful. Men of all shades of political thought are now agreed upon this view. There cannot be a clearer admission than that of Sir Valentine Chirol's recent statement in the *Times*, that the reforms "have been largely nullified by the dishonest evasions to which recourse was had after the repression of the Punjab Troubles of 1919."

CONSTRUCTIVE PROGRAMME

98. The constructive programme of the Congress has received insufficient attention and requires intensive effort, especially on the part of the leaders, to bring up the country to the level of preparedness for undertaking civil disobedience. A campaign of entry into Councils at the present time would have the certain effect of relegating the constructive programme to the cold shade of neglect.

RESPONSIVE CO-OPERATION

99. We have so far dealt with only the proposal suggested by our colleagues, of entering the Councils with the idea of total obstruction. We have not referred to the proposals of responsive co-operation put forward by the majority of those who advocate the removal of the boycott of the Councils.

We are of opinion that they are all opposed to the principle of non-co-operation and involve the supposition that the movement has failed in its objective. This is a gross misreading of the situation. On the other hand all that we saw during our tour has convinced us that within the short time it has been in operation,

the movement has obtained a firm hold among all classes of people throughout the country, that there is no lack of enthusiasm or willingness to sacrifice, and that they were already recovering from the effects of the general repression and the arrest and incarceration of their beloved and saintly leader. In our opinion the requirements of the situation are that the leaders should earnestly and vigorously take up the working of the constructive programme even as Mahatmaji would have done if he had been with us, without diverting public attention and energy of Congress workers by new proposals or reviving discarded schemes.

We feel that schemes of obstruction and deadlocks will in course of time degenerate into ordinary co-operation. The process of grading off is already indicated in the trend of thought of some of the witnesses who gave evidence in support of entry into councils.

We cannot but express our apprehension that if the proposals are accepted the Congress will become of secondary importance and the electioneering organisations which will be brought into existence will assume undue importance. This transfer of prestige will be fatal to the national cause.

BAD BLOOD

100. The building up of national solidarity, the conservation of resources, and the prevention of strife and discord are the need of the hour. Embroilment of the non-co-operators in the elections is sure to breed strife in their own ranks as well as with other classes of our countrymen. Inter-communal jealousies will be created and fomented, and the bad feelings engendered by the elections are likely to affect prejudicially the more solid and enduring constructive work which awaits the earnest attention of the Congressmen. Whether with the object of wrecking the Reforms or working them for what they are worth, the entry of the non-co-operators into the Councils is an undesirable step at the present stage of the non-co-operation movement. As the evidence before the Committee has disclosed, the feeling in the country against it is very strong. The following extract from the evidence of Babu Rajendra Prasad (Bihar) represents the opinion of the vast majority of non-co-operators :—

Q.—With regard to entry into the Councils you state your opinion that it is impossible to further the constructive programme through the Councils. Apart from that what would be the effect of a change in the programme in your opinion in that respect, supposing we pass a resolution in the All-India Congress Committee allowing entry into the Councils. And if that part of the Congress resolution is modified, what would be the effect of such a modification on the general body of Congressmen, in your opinion ?

A. I think it will have demoralising effect upon the general body.

Q.—How? Please explain.

A.—In this way. We have been preaching against the Councils for these nearly two years, and now it is not like the case of schools where you can keep quiet, but if you want to go into the councils, we have to preach to that effect, and inconsistency in the two positions will be so marked and apparent that it will have a bad effect on the masses and also on the general public.

Q.—It will have a bad effect. Do I understand you to say we will lose their confidence? What bad effects?

A.—That will also be one of the effects.

Q.—Supposing we take great pains to explain to the people that for such and such a reason we have to change the programme, suppose we take a lot of trouble over that, can they get over it?

A.—I believe it will not be possible to educate the public to that extent. At any rate not in the near future.

Q.—Then what is your view? Forget all this. Supposing the public will not be demoralised—don't allow yourself to be influenced by this view but answer independently—what is your view as to whether our Congress organisations, our local and district organisations, should take part in the elections if we allow entry into the Councils put up canditates running about to get votes &c. to bring the voters to polling booths and so on, what is your view as to that?

A.—If I can take the analogy of Municipal boards I think the running of candidates on behalf of the Congress will create *bad blood* among the workers and also among the masses.

Q.—You said taking the analogy, you mean to say your experience as to what has been permitted about candidates for the Municipal Councils leads you to this conclusion?

A.—Yes, that is my experience *re.* Municipalities. In the Municipalities some people have failed, others succeeded. There has been bad blood. In one or two places the Congress Committee have tried for election of candidates for Municipalities. In Bhagalpore it has succeeded and is going on very well. In Mirzapore it has failed.

Q.—That is to say it becomes a personal matter?

A.—Yes.

Q.—On account of personal matters, questions arise and create bad blood?

A.—Yes.

Q.—So your view, even if such a thing is allowed, is that the running of candidates, canvassing &c. should be kept out of Congress organisations?

A.—Yes.

Q.—I assume for the purpose you would not stand for the Councils ?

A.—I would not.

Q.—Yet some other friends might stand if the Congress permits, and if the Congress organisations also are allowed to take part in the elections, what would your attitude be in the Congress Committee ? Would you spend Congress funds for this purpose ?

A.—I would not like to vote money for this expenditure.

Q.—Would you like to serve on such Committees ? Suppose a sub-committee is appointed for running candidates you would not like to serve ?

A.—I would keep out of it personally. I would not like to serve.

Q.—Your own view is in this way many difficulties would arise by working such a programme ?

A.—Many difficulties would arise. For example in the case of Municipal candidates there are differences among the candidates themselves, the Congress organisation was not strong enough always to get its own candidates elected, and that led to friction with other people which hampered Congress work. I mean the work of the organisaion. In the case of the councils I think this will become intensified.

Q.—Would the work of enrolling members, collections for the Tilak Swaraj Fund suffer by this ?

A.—Tilak Swaraj Fund collections would certainly suffer.

Q.—Among the Congress Volunteers and workers will there be intense difference of opinion in this matter ?

A.—There may be with regard to particular candidates. In a particular constituency the Congress organisations may like to run a particular candidate, whereas the local workers might not like the candidates and there would be difference between the workers and the Congress Committee.

Q.—On the whole your opinion is against this ?

A.—Yes.

CONSOLIDATION OF NATIONAL FORCES

101. The political salvation of the people lies in different channels from those which have been established by an alien Government. The contest is a most unequal one between the non-co-operator Government if conducted in the legislative councils as at present constituted. We feel that any change of our programme is most inopportune at the present juncture when Government is feeling acutely its moral defeat. What is required at this moment is consolidation of national forces through the constructive programme and not controversial proposals leaaing to disintegration and disunion.

MAHATMAJI'S WORDS

102. In conclusion, we wish to draw attention to the memorable speech delivered by Mahatma Gandhi at the Calcutta Special Congress in September 1920 in his final reply to the criticisms levelled by Pandit Malaviya, Mr. C. R. Das, Mr. Jinnah and others.

"I have come to the final pivot, *viz.*, boycott of Councils. I must confess that I have not yet heard a single argument in favour of going to Councils. All the arguments that have up to now been advanced are : seeing that we have done something through these Councils during 35 years, seeing that the reformed Council is really in response to our agitations which I admit, we may be able, by going to the Councils, to paralyse the Government or the administration as the case may be. In my humble opinion, as a student of English History, I have found, and it is a practical maxim adopted in English public life, that every institution thrives on obstruction.

* * * * *

"It is my firm opinion that the services the public men want to render can be rendered better outside the Councils rather than inside.

* * * * *

"What is the secret of the great power of the late Lokamanya in the country? Do you suppose that if he had gone to the Council he would have exercised that power over the millions of India ?

* * * * *

"What do these Councils mean? The simple test I will venture to present to you and the leaders is the two wrongs that we are come to consider—the Khilafat and the Punjab. Do you believe that by going to Council and engaging in the debates there you can produce a direct impression upon the British Ministers and secure a revision of the Turkish terms and repentance on account of the Punjab affairs?......There are many other points, but I would reiterate two things. The public will not understand our fine distinctions. It will mean that non-co-operation must commence at the top, *viz.*, in a body miscalled a representative body, namely, the Reformed Council, and if the best mind of the country refuses to associate with the Government even as the obstructionist, I promise that the Government's eye will be opened. The condition is that those who refrain will not go to sleep, but move from one end of the country to the other end, bring every grievance to the notice, not of the Government, but of the public. And if my programme is carried out, the Congress will be going from year to year and give public expression to those grievances, so that

the volume of wrong ever increasing as it rolls, will inflame the great nation to harbour, to conserve all its anger and its heat and transmute it into an irresistible energy."

M. A. Ansari.
C. Rajagopalachariar.
S. Kasturi Ranga Iyengar.

Allahabad,
17th October, 1922.

CHAPTER VI.

PART II

Views of Hakim Ajmal Khan, Pandit Motilal Nehru and Syt. V. J. Patel

REGRETTABLE ABSENCE OF UNANIMITY

103. We join our colleagues Syts. Kasturi Ranga Iyengar, M. A. Ansari and Rajagopalachari in expressing our deep regret that it has not been possible to reach unanimity among the members on the important subject of running elections and entry into the Legislative Councils. On account of the unavoidable absence of Syt. Rajagopalachariar owing to ill-health from the earlier stages of the conference of members and that of Hakim Ajmal Khan and Dr. Ansari owing to the important Khilafat meetings at Delhi from the later stages, these latter have not been able to meet the former for a final exchange of opinions. But the question has been thoroughly discussed first between all the members other than Syt. Rajagopalachariar and then between Syt. Kasturi Ranga Iyengar and Syt. Rajagopalachariar as representing one view, and Syts. V. J. Patel and Motilal Nehru as representing the other view.

After a thorough discussion of the whole matter in all its bearings we regret we find ourselves unable to subscribe to the opinion of our learned colleagues and have to record our views separately.

PRELIMINARY CONSIDERATION OF GENERAL LINES

104. It is a sound and well understood rule to treat as confidential the discussions held by the members of committees of enquiry among themselves with a view to arrive at an agreement as to what their report is going to be. This is essential for a free discussion of the subject which the members are expected to approach with open minds, eager to convince and ready to be convinced. Much as we wished to adhere to this wholesome rule and avoid any reference to the various stages of the consultations among ourselves, we are constrained by the refusal of our dissenting colleagues to expunge the first paragraph from their

note (para. 103 *ante*) to say a word of explanation. It is impossible for us to understand the object of their insistence on the retention of that paragraph, but if it is meant to show that we are going behind our settled convictions we refuse to plead guilty to the charge. We did not expect that the rough lines settled at the preliminary meeting of the members at Patna for the first draft of the report would be dignified into "resolutions" of the Committee. It is only necessary to refer to the course which our deliberations subsequently took to show that at least two of our dissenting colleagues took the same view. The idea that our entry into the Councils while many of our distinguished patriots and devoted workers were in *duress vile*, had an important bearing on the larger issue of national self-respect did not occur to the Committee till the very last stage of its sitting at Patna, where one of the members for the first time put a question to Babu Rajendra Prasad about it on the 15th August. The question and its answer have been quoted and relied upon by our dissenting colleagues (See page 77 *ante*.) The first consultation to settle the broad lines of the report was held the next day and the same member laid great stress on the point informing his colleagues that he had given it much anxious thought but was not at all sure as to the correct attitude to be adopted. The point was duly noted among others and Dr. Ansari was requested to prepare a draft of the report. The members then dispersed.

THE FIRST CHANGE

105. On the 18th August the same member chanced to meet Dr. Ansari while travelling and communicated to him further considerations on the subject. It was eventually agreed that no definite recommendation should for the present be made by the Committee in regard to the whole question of the entry of Non-co-operators into the Councils, provided the Chairman approved of that course. As the first draft was supposed merely to afford a basis for discussion, the other members were not informed of the new suggestion. Hakim Ajmal Khan having agreed, Dr. Ansari, to whose unremitting labours throughout the enquiry in spite of indifferent health the other members of this Committee are deeply indebted, dealt with the point in his draft in the following words:—

"*Boycott of councils.* As stated above, there are four sets of views regarding this question, placed before the Committee—one, the majority view, is against going into the Councils, the other three for entry into the Councils or standing for elections. The Committee feels unable to enter into the question so long as those leaders and workers who have gone to jail in the cause of the country are not released and the disabilities against them are not com-

pletely removed. It would be against national self-respect and disloyalty to the cause and to those noble and self-sacrificing leaders and workers to entertain this question in their absence."

ACCEPTED BY ALL BUT ABSENT MEMBERS

106. Typed copies of this draft were given to all the members on the 31st August, except Srijut Rajagopalachariar who was unable to attend the Calcutta meeting owing to ill-health. The committee met on the 1st September in Calcutta. Various points were discussed and it was agreed that Pandit Motilal Nehru should prepare a new draft. No objection was taken by Srijut Kasturi Ranga Iyengar to the paragraph quoted above. This was the first modification by which the "resolution" against entry into the Councils was altered into a positive refusal to go into the question at all in the absence of our friends in the gaol.

THE FINAL CHANGE

107. After this the three members who support the policy of total obstruction had the opportunity to meet at Amritsar on the 17th and 18th September. Srijut Patel was from the beginning in favour of the policy. Hakim Ajmal Khan and Pandit Motilal Nehru had, in the interval independently of each other after a most earnest consideration of the whole question, come to the conclusion that the only fitting answer to the Government for its uncontrolled repression and the only effective means to save the constructive work from coming to a standstill was to smash the Councils and thus it was that these three members agreed to face the situation created by the Government instead of shirking the question.

We cannot leave this point without expressing our gratitude to our dissenting colleagues for having given us the opportunity to explain the working of our minds from time to time. It will enable the members of the All-India Committee to test the mental pocess which has irresistibly led us to the conclusions set out in this part of our report. We shall now go into the merits of the question which we are confident will be considered by the All-India Committee quite independently of adventitious circumstances.

(*A*) PRELIMINARY

108. The very thought of Councils is repugnant to many a non-co-operator and rightly too. Nothing is more dignified, more consistent at this stage than civil disobedience. Had we found the country prepared to embark upon general mass civil disobedience or individual civil disobedience on a large scale we would not have entertained any proposal regarding modifications in the boycott of Councils in its present form. whatever our feelings in the matter, we cannot run away from the grim realities of the situation, the experience of the last year and a half has brought to light. Facts must be faced. The tactics and policies of the Con-

gress from time to time must necessarily be such as are best calculated to ensure success. They must be shaped to meet the special conditions of each period and must change with the change of conditions. Political tactics are never immutable.

PRINCIPLE ADOPTED BY MAHATMAJI

No one realised the force of this more than Mahatma Gandhi did. He was ever watchful and never slow to adjust the national programme to varying circumstances. At times, he quietly changed the entire phase of the movement when in his judgment circumstances of the moment called for such a change. This he did at the risk of being called an autocrat. We quote below an extract from Mahatmaji's article in "*Young India*" of 2nd March 1922:—

"I have carefully read Mr. Kelkar's article in the "Mahratta" criticising the Bardoli resolutions. I acknowledge the gentle and considerate manner with which he has handled me. I wish I could persuade him and many who think like Mr. Kelkar that what he calls a somersault was an inevitable operation. Consistency is a desirable quality, but it becomes a "hobgoblin" when it refuses to see facts. I have known dispositions of armies changed from hour to hour. Once during the Zulu revolt we were all asleep. We had definite orders for the morrow. But suddenly at about midnight we were awakened and ordered to retire behind bags of grain which served as protecting walls because the enemy was reported to be creeping up the hill on which we had encamped. In another hour it was understood that it was a false alarm and we were permitted to retire to our tents. All the somersaults were necessary changes. Remedies vary with the variation in diagnosis. The same physician detects malaria and gives a large dose of quinine, detects typhoid the next and later detects consumption and orders change and solid food. Is the physician capricious or cautious and honest ?"

SWEEPING CHANGES EFFECTED

109. Examine the progress of the events from time to time and compare were we where in 1919 with were we are to-day. In March 1919 Mahatma Gandhi gave to India and the world his noble conception of Satyagrah. After the disturbances of April he unhesitatingly admitted that he had misjudged the readiness of the people to wield such a mighty weapon. At the Amritsar Congress he earnestly pleaded for co-operation with the Government in the Councils and outside, and warmly thanked Mr. Montagu for the Reforms such as they were—satyagrah to co-operation, from one pole to the other, all in the brief space of 8 months. After another three months he began a march back from Co-operation. Six months more of mature consideration and non-co-operation including the boycott of Councils became the accepted creed of the Con-

gress at Calcutta. It was then a movement to bring about a general strike, a national strike, a hands-off movement. After a year's working it was thought that the atmosphere then created called for a vital change in tactics and in November last year, the non-co-operation movement was by a resolution of the All-India Congress Committee extended to include 'civil disobedience'—a civil revolt, a peaceful rebellion. The two movements are radically different in character as was made clear by Mahatmaji in the Khilafat resolution of July 1920(*Young India*, dated 21st July 1920)and again in the course of his interview to the representative of the *Madras Mail* (*Young India*, dated 18th August 1920) and yet without any authorisation by the Congress in that behalf the change was effected. The Ahmedabad Congress put its seal on this change and laid down that "civil disobedience is the only civilised and effective substitute for armed rebellion." The country was asked to suspend all other activities and concentrate on civil disobedience. Then at Bardoli by one stroke of the pen, the country was asked to suspend all aggressive activities and concentrate on the constructive programme. The resolution of the Ahmedabad Congress was thus suspended by the decision of the Working Committee which met at Bardoli under the advice of Mahatma Gandhi. Sweeping changes like these Mahatma Gandhi alone could introduce and if we now decline even to entertain proposals to adjust our programme to the new situation, we would be doing violence to the elementary principles of political warfare. It is in the light of these observations and because we feel that the final battle by means of mass civil disobedience or individual civil disobedience on a large scale is not yet that we venture to examine the proposed changes on their merits. We must not be taken to mention these great changes in a cavilling spirit. On the contrary we look on them as sound tactics suited to the altered circumstances which faced Mahatmaji from time to time.

THE ORIGINAL PLAN

110. Just about the time of the last Council elections, Mahatma Gandhi laid before the country the possibility of getting Swarajya in one year. Those who had strenuously fought against the boycott of Councils and been defeated were soon reconciled to it firstly because of their sense of loyalty to the National Assembly, and secondly because it was thought desirable and necessary in view of Mahatmaji's declaration of Swarajya within a year, to concentrate all the national forces on working out the non-co-operation programme. The Nationalists, therefore, immediately withdrew their candidatures for the Councils and whole-heartedly devoted themselves to the working out of the non-co-operation programme. With a year's programme the Triple Boycott was regarded as justifiable, and all leaders not only ceased

criticising the boycott but vied with one another in making it a success. All differences were put aside for the time being and work was carried on in right earnest with a view to secure Swarajya and speedy redress of the Khilafat and Punjab wrongs. It was repeatedly declared that we were in a state of war and we spent the year with our knapsacks on our backs.

MAHATMAJI'S EXPECTATIONS

111. If the Boycott of Councils had been complete and Indians had refused to take their seats there, there can be little doubt that Government would have come to its senses. The alternative before the Government then would have been nothing but despotic rule pure and simple. That might have meant military dictatorship. But world opinion has advanced so far that Britain dare not contemplate such dictatorship with equanimity. It was such a boycott that Mahatmaji hoped to bring about. He relied upon the wholesale abstention of voters from voting and on the sense of self-respect of the Moderates. In one of his public speeches prior to the Calcutta Congress he is reported to have observed:—

"I know there is strong opposition to the Boycott of Councils. The opposition when you begin to analyse it means not that the step is faulty or that it is not likely to succeed, but is due to the belief that the whole country will not respond to it and that the Moderates will steal into the Councils I ask, citizens of Mangalore, to dispel that fear from your hearts. United, the votes of Mangalore can make it impossible for either a Moderate or an Extremist or any other form of leader to enter the Council as your representative."

Again writing on the Council Boycott in the "*Young India*" of 14th July 1920, Mahatmaji said:—

"We are now face to face with the reality. Will a single Moderate leader care to enter any Council if more than half his electorate disapproved of his offering himself as a candidate at all? I hold that it would be unconstitutional for him to do so because he will not represent his constituency. Boycott contemplated by me pre-supposes a most active discipline and watchful propaganda and it is based on the assumption that the electors themselves will prefer complete to an incomplete boycott in the form of obstruction."

We have failed to bring about such complete boycott. The Nationalists being out of the way, it was a walk-over for the Moderates and they took full advantage of the opportunity to fill the Councils. Mahatmaji did not yet give up hope. He thought no self-respecting member could retain his seat if the great bulk of his constituency did not want him to represent them. He therefore got the Nagpur Congress to adopt a resolution expressing the hope that

"Those who had allowed themselves to be elected in spite of the deliberate abstention from the polls of an overwhelming majority of their constituents will see their way to resign their seats in the Council."

All over the country meetings, conferences and at some places special voters' conferences were held calling upon the Councillors to resign. All in vain. But true to his greatness and goodness, Mahatmaji did not despair of the Moderates. In the crisis of November-December when thousands of our workers were being sent to jail, including some of the topmost leaders, hopes were entertained that the Moderates would then rise to the occasion. It was not realised that most of them had directly or indirectly given their support to the repressive policy of the Government. Again when Mahatmaji himself was arrested and convicted the Councillors remained unmoved and indications are not wanting to show that some of the leading lights of the moderate party had a hand in his prosecution. Then very recently came the plain talk of Mr. Lloyd George revealing the hollowness of the pronouncement of 20th August 1917 and assuring the Civil Service that reforms or no reforms they would remain the true arbiters of India's destiny for all time to come. There was a storm in a tea-pot in the Moderate camp but it subsided after a feeble resolution in the Council protesting against that speech.

THE LESSON OF EXPERIENCE

112. It will thus be seen that the position in which we now find ourselves is materially different to that we occupied at the commencement of the campaign and during its earlier stages. Times have now changed. Circumtances have altered. The period of the struggle is indefinitely prolonged. The boycott of Courts, Schools and Colleges has been relaxed by Mahatmaji at Bardoli. The question of Councils was not then a live issue. We have since passed through further vicissitudes and are now in a position to take stock of the situation. We must therefore adjust our programme accordingly. We are bound to recognise that the Legislature have it in their power to render pleasant or unpleasant, easy or burdensome, the position of a non-co-operator. The Council may not be an assembly, we readily grant, which can be used by itself for the overthrow of the existing system but as long as the system remains, it would be unwise not to recognise the possibilities for evil if not for good of a "representative house." Assuming that the Council cannot do any good, it cannot be denied that it can and is doing immense harm. Apart from the support, direct or indirect, the Moderates have given to the repressive policy of the Government and the imposition of fresh taxation, their very entry in the Councils for co-operation with

government is harmful. It is obvious that if they had stood by the country during the November-December crisis the struggle would have assumed a different aspect. We know that they are not the representatives of the people, but we also know that they pose and are represented to the outside world by Government as such. It is abundantly clear that the Councils have in the name of law and order strengthened the hands of the Government in repressing the non-co-operation movement.

STAGES OF NON-CO-OPERATION

113. It will be evident from what we have stated above that according to our reading of the situation we have now passed through the first and entered upon the second stage of non-co-operation. The first ended with the Bardoli decisions and the arrest and imprisonment of Mahatma Gandhi and the second commenced with the triumph of non-violence during the succeeding months. In the previous Chapters we have fully dealt with the great achievements of the movement and may be allowed to add here that we yield to none in our unstinted admiration of the great originator of the movement or of the high ideals is set before the nation. We cannot, however, shut our eyes to what we see around us. That our success has been remarkable our enemies are forced to admit but that we have also had failures our best friends cannot deny. We have already shown that in this very matter of the Councils we can claim success only to the extent that a very large proportion of the voters abstained from the polls, but the keeping of the Council Chambers empty which was the real object in view was not only not achieved but was virtually defeated by the entry of the very persons who ought not to have been there. We did indeed non-co-operate but at the same time made the co-operation of others easy. We rested on our oars after leading half through the course and allowed those behind to overtake and pass us. Shall we repeat the same experiment? We submit it will be suicidal to do so.

(*B*) THE PROPOSALS

114. Before we proceed further it is necessary to state what our proposals are. It is not correct to say that they amount to a removal of the boycott of Councils as our esteemed colleagues have described them. On the contrary we maintain as we have already made clear that they constitute the best and the most effective method of boycotting the Councils. Our proposals are:—

That the Congress and the Khilafat at their Gaya Sessions should declare that in view of the fact that the working of the Legislative Councils during their first term has, besides proving a great obstacle to the redress of the Khilafat and Punjab wrongs and the speedy attainment of Swarajya, caused great misery and hardship

to the people, it is desirable that the following steps should be taken in strict accordance with the principle of non-violent non-co-operation to avoid the recurrence of the evil:—

1. *Non-co-operators should contest the elections on the issue of the redress of Punjab and Khilafat wrongs and immediate Swarajya and make every endeavour to be returned in a majority.*

2. *If the non-co-operators are returned in a majority large enough to prevent a quorum they should after taking their seats leave the Council Chamber in a body and take no part in the proceedings for the rest of the term. They should attend the Council occasionally only for the purpose of preventing vacancies.*

3. *If Non-Co-operators are returned in a majority but not large enough to prevent a quorum they should oppose every measure of the Government including the budget and only move resolutions for the redress of the aforesaid wrongs and the immediate attainment of Swarajya.*

4. *If the Non-Co-operators are returned in a minority they should act as pointed out in No. 2 and thus materially reduce the strength of the Council.*

As the new Councils will not assemble till January 1924 we further propose that the Congress Session of 1923 be held during the first instead of the last week of December and the matter be again brought up for the issue of a final mandate by the Congress in view of the results of the election.

It will be seen that the above proposals constitute two distinct parts, the first relating to election and the second to the policy and procedure to be adopted after actually entering into the Councils. We shall take each of these parts separately and show that it does not militate against the principles of non-co-operation and is in every way calculated to promote the objects of the movement.

(*C*) THE ELECTIONS

115. As we have already shown the Councils cannot possibly be kept empty without keeping out the co-operators and these cannot be kept out unless they are defeated at the elections by the non-co-operators. Assuming without admitting that there are difficulties based on the principle and practice of non-co-operation in the way of actually entering into the Councils, we cannot conceive of any in merely contesting the elections and effectually preventing the co-operators from going in. Some witnesses have gone the length of saying that the mere act of going to the electors to seek their suffrage amounts to co-operation with the Government. Prominent among these is Sriyut Vallabhai Patel of Gujarat. He has given no reasons for this opinion apart from the objections he has to the Councils themselves, which we shall consider presently. We confess we see no act of co-operation with the Government in going to our own

countrymen to obtain their mandate to put an end to an institution they do not want. If there is any we fail to differentiate it from that involved in going to the Municipal voter for a purpose which is admittedly inseparable from co-operation with the Government. Sriyut Patel is a strong advocate for capturing the District and Local Boards and Municipalities. Going to the voters and asking them to express their disapproval of the Councils by keeping silent and abstaining from the polls is admittedly an act of merit. How it ceases to be so if they are asked to speak out their minds and authorise their representative to say that they do not want the Councils is not at all clear to us. We do not think it necessary to labour the point further and we now deal with the practical side of the question.

CONSEQUENCES OF ABSTENTION

116. It is necessary in the interests of working the constructive programme itself that non-co-operators should contest council elections. We have to bear in mind that we would be out again for 3 years. It is not difficult to realise the consequences of allowing a free field to the co-operators and the Government for their operations for another 3 years and the effect of their operations on the Congress and the whole national movement. Measures affecting the daily life of the people are being enacted year after year, fresh taxation and huge liabilities are being imposed and will continue to be imposed with the help and in the name of the so-called representatives of the people and *nolence volence* the people will have to submit to them. Under these circumstances it is a question for consideration how far the hold of the Congress over the masses can remain unaffected.

On the occasion of the last Council elections, an overwhelming majority of voters abstained from voting and we rightly claimed that the abstention was the outcome of the Congress resolution in favour of the boycott of Councils and the propaganda in that behalf. The Government on the other hand contended that the abstention on such a large scale was mainly due to ignorance and apathy on the part of the votors and to the fact that it was for the first time that elections of that character were introduced in the country. Suppose the Congress persists in the boycott of Councils in its present form and it is found that a greater percentage of voters record their votes on this occasion our claim would be discredited. We are inclined to believe that the policy of abstention has lost its charm and it is not at all unlikely that a greater percentage of voters will poll at the ensuing elections. In that event the success gained at the last elections will be a thing of the past and the whole movement might be adversely affected.

PROPAGANDA

117. There is another aspect of the matter which deserves careful attention. The times of active electoral campaign are peculiarly propitious for the discussion of social, economic, and political theories, and hence they offer an excellent opportunity for the propaganda of the Congress among the broad masses of the people. That opportunity will be largely enhanced if non-co-operation is made one of the direct issues of the campaign. And not only are political campaigns important as mediums of effective propaganda, they are also useful as periodical reviews of the Congress forces. The number of votes which the non-co-operators poll at a general election is a sure gauge of the progress made by the movement among the electorate, and nothing stimulates growth so much as the proof of growth. It is evident that candidates for election to the Councils will have greater facilities for Congress propaganda by their manifestoes and speeches.

ALTERATION OF RULES LIKELY

118. There are indications that Government will use all means both fair and unfair to prevent the non-co-operators from getting into the Councils. Neither the Government nor the Moderates want us there. They will naturally join hands and try to make it difficult if not impossible for us to have a majority and any further delay would make our task more difficult. It is also likely, or shall we say more than likely, that once we decide to run elections, some device by alterations in the regulations or otherwise might be invented to keep us out, or what appears more probable, they might put off the evil day by extending the life of the present Councils. If they thus deliberately keep us out even the pretence of the Councils being representative institutions will disappear and the stupendous fraud will be thoroughly exposed.

We are told that the final election rolls shall be ready by the end of this year. It is necessary to see that manipulations and manœuvres to keep the non-co-operators and their sympathisers out of the rolls do not succeed. The question of running the elections has therefore got to be decided at once. Early next year a regular campaign will begin and if we decide to contest the elections we should not be late in the field.

(*D*) THE POLICY

119. We have so far dealt with the question of running the elections apart from the issue on which they are to be contested. It is obvious that no election campaign can be effectively carried on without a clear definition of policy and a definite programme being laid before the country. The circumstances under which we are called upon to make our recommendations are however peculiar, and it is not possible to settle the lines of action with any approach

to finality at the present stage. Much depends on the attitude of the Government towards the Congress candidates and the movement generally. The result of the elections will in no small measure affect the course of future action. The circumstances in which we are now placed may alter considerably for better or worse during the next 15 months. Our action whether in or out of the Councils will have to be shaped according to developments. While however the actual programme cannot at the present moment be finally laid down, it is essential that the broad outlines of policy should be sufficiently defined to put the attitude of the Congress towards the Councils clearly before the various constituencies so that both the voters and the candidates who may be advised to contest the elections may know what is expected of them. This outline of policy can only be determined with reference to existing circumstances with due regard to such developments as it is possible to anticipate. For these reasons it is too early yet to lay down a detailed programme. All that need be said at present is that if conditions do not alter in the meantime we shall enter the councils to end them as they cannot be mended as we would wish them to be. We shall so conduct ourselves that either the administration must be carried on by veto and extraordinary power or the Government must concede our demands. In other words we shall non-co-operate. Hitherto we tried the negative form of non-operation in regard to the Councils and it failed to achieve the desired result in its entirety. We would now try the active form of non-co-operation, that is to say, enter the Councils for actively obstructing and paralysing the Government.

PROGRAMME ONLY PROVISIONAL

120. The proposals set out in section (*b*) of this Part will show the broad variations of policy which the circumstances may from time to time require. The next year will be one of strenuous effort and watchful vigilance which will have the double merit of infusing enthusiasm in our workers and helping forward the constructive programme throughout the country. If we are not allowed to fight the elections on one of the pretexts pointed out above we shall still have gained the twofold advantage of exposing the "representative" character of the Councils and supplying the necessary impetus for individual civil disobedience which the country lacks at present. All that the Gaya Congress is called upon to sanction is the running of elections on the lines indicated above. The rest of the programme is merely provisional subject to the confirmation of the Congress session of December 1923.

CONSTRUCTIVE PROGRAMME TO BE WORKED VIGOROUSLY

121. At the same time the educative work of the Congress must be continued with renewed vigour. The constructive programme should not be neglected. If the Government chooses to disregard the wishes of the people and time after time passes measures or imposes taxes by extraordinary power, the work inside and the work outside the Councils will create a situation most favourable to the starting of the nation-wide movement of non-co-operation including civil disobedience and non-payment of taxes and will evoke an adequate and spontaneous response in the people. Conservation of energy and the keeping up of enthusiasm are the essential requisites which we fear cannot be cultivated by helplessly looking on while our noblest countrymen are being humiliated, persecuted and treated as common felons. It is the measure of the people's strength and determination to oppose injustice and oppression which determines the attitude of the Government and not a meek submission to all its vagaries.

(*E*) ENTRY INTO THE COUNCILS

122. Under this head we propose to consider the evidence of the witnesses and the reasons they give for or against the entry of non-co-operators into the Councils. There is apparently an averwhelming majority numbering 302 who according to their written answers do not favour entry into the Councils as against 163 who advocate such entry in some form or other The latter having made definite proposals have been classified under suitable heads. Many of the former have in the course of their oral examination considerably modified their written answers. It being found impossible to classify such modifications under definite heads we have simply given the number of these witnesses in Appendix VII * with the remark that they support the existing boycott "according to their written answers." This course was adopted with the approval of Sriyut Kasturi Ranga Iyengar and Sriyut Rajagopalachariar, but we find that the words "according to their written answers" are omitted from the copy they have given in their dissenting note. The omission could not be brought to their notice as the note was handed by them to one of us (Pandit Motilal Nehru) as they were leaving Allahabad. It is obviously an oversight.

Having regard to the great labour involved in the classification, as it appears in the Appendix, we do not claim absolute accuracy for it and have in fact found some errors after the tables were in print. We can only express the hope that such errors are not numerous.

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* Not printed in this book.

STRIKING INSTANCES

123. A few examples of how the written answers of the great majority of the 302 witnesses were modified in the oral examination are given below. Babu Rajendra Prasad of Patna, the spokesman of the official witnesses of Behar and a stout champion of the boycott in its present form, gives away the whole principle of non-co-operation in his oral evidence, and might easily be classed with the 36 witnesses who are for entry into the Councils for utilizing them as they are, if he could only be satisfied that the constructive programme could possibly be helped thereby. It is evident that the greater part, if not the whole of that programme, falls under the transferred subjects and can undoubtedly be helped to a very considerable extent if the Minister in charge took some interest in it. That being so the only objection of Babu Rajendra Prasad* to an unconditional entry into the Councils even as they are at present constituted is not well founded. The following is an extract from his oral statement:—

Mr. V. J. Patel—Q.—Are you in favour of capturing the municipalities and local boards?

Babu Rajendra Prasad—A .—I am in favour of it.

Q.—You take it from me that you have to oo-operate with the Government?

A.—Yes.

Q.—You don't object to that co-operation ?

A.—The non-co-operation that we have does not imply non-co-operation in every act, and, in that matter, I would leave it there.

Q.—But would it help the programme ?

A.—It may, but I am not concerned with the powers of the municipality.

Q.—If your constructive programme is helped even though you have to co-operate with the Government, you would not mind it ?

A.—No.

Q.—You would certainly mind non-co-operators working the constructive programme through the Councils, even if it is possible to help the programme by going into the Councils ?

A.—I think it is impossible.

Q.—I say, whether you would advise the non-co-operators, if it is possible ?

A.—If it is possible to further the programme through the Councils, then, I would advise just as in the case of local bodies.

Q.--Would it not be a surrender on the part of the Congress?

A.—It will not be a surrender because there is that assumption. At present we are working on the assumption and the Con-

* General Secretary, Bihar Provincial C, C.

gress is working on that assumption that it is impossible to work the constructive programme in any way in the Councils, and, therefore, if it is now admitted or assumed that it is possible to work the constructive programme through the Councils, there is no objection of our going to the Councils, and there is no surrender.

Q.—But is it not a question of humiliation and surrender ?

A.—It is not a question of humiliation and surrender, it is a question of furthering our cause.

Mr .G. Chowdhry,* the official spakesman of Utkal, goes even further and would recommend an alteration of the non-co-operation programme to include co-operation in the Councils if that would help the constructive programme. His sole reason for thinking that this cannot be expected is that the existing councils have done nothing in that direction. Here is an extract from his oral evidence :—

Mr. V. J. Patel—Q.—Are you in favour of capturing municipalities and local boards by non-co-operators ?

A.—Yes, I would like them to do so.

Q.—Bu don't you think that in the municipalities we co-operate with the Government ?

A.—But much can be done to help the programme.

Q.—So you are not against entering the municipalities and co-operating with the Government if you can do something, and work your constructive programme to a very great extent?

A.—Yes.

Q.—Then tell me if by such co-operation you can work the constructive programme through the Councils you would not object going to the Councils ?

A.—If the Councils would help the constructive programme, then I have no objection.

Q.—I believe you have not studied the Government of India Act and the Reform Act, that you are in a position to work the constructive programme through the Councils.

Q.—As my experience shows, nothing has been done through the Councils so far.

Q.—I want to know whether it can be done ?

A.—When for the last two years nothing has been done, it is not possible to do anything in the Councils.

Q.—But you are quite clear that if it can be done, you would not object to such co-operation ?

A.—Yes, as regards working of the constructive programme.

Q.—But don't you think it would be against the spirit of non-co-operation if you get some advantage by going into the Councils?

* Vice-President, Utkal Provincial Congress Committee.

A.—It may be inconsistent, but I think the programme will have to be changed.

Q.—If the people are satisfied with the constructive programme and they think that it can be worked through the Councils, you will ask the Congress to change the programme ?

A.—If the people are satisfied, the Congress will change it.

The next witness we shall refer to is Mr. S. V. Kowjalgi, President, District Congress Committee, Bijapur, for sometime member of the All-India Working Committee. He concludes his remarks in his writen answer on the subject of Councils by saying: "After giving my best consideration to this subject I have come to the conclusion that permission to enter the Councils will be more a loss than a gain for the National cause."

The following extract from his evidence will speak for itself:—

Hakim Ajmal Khan :—

* * * * * *

Q.—If you can get workers to attend to the boycott of courts and of schools and other items of the non-co-operation programme, can you not also similarly get a few workers for the Councils ?

A.—I am aware we can. I have stated in my statement that individuals from the nationlist camp who are fit for nothing else might try that way.

Q.–But you agree that it is only if we have a majority we can go?

A.–Yes. But I am doubtful of a majority with regard to my Province. I have on principles no objection to the other Provinces going into the Councils. Nationalists are so strong-minded now that they may be able to do some good by going into the Councils.

Q.—You don't think the principle of non-co-operation will be affected by our going into the Councils ?

A.—I think it will all depend upon the attitude of the persons who go. If they go and only obstruct there, then it is not against the principle of N. C. O., and if they go with a determination never to be tempted with any advantages to be gained from the bureaucratic side.

Q.—And then I take it that you are not against the Nationalists going into the Councils if they go there for the purpose of

1. Obstruction pure and simple, and 2. Working the constructive programme of the Congress through the Councils ?

A.—I am not against.

The following is an extract from the evidence of Pandit Harkaran Nath Misra, General Secretary, U. P. Provincial Congress Committee, Allahabad:–

Panditji—Q.—On principle you are against going into the Councils, and you are also against going into the Government schools. From the practical point of view, principle apart, do you

think that the only conditions upon which the non-co-operators may enter the Councils are most difficult, if not impossible to be performed?

A.—Yes, this is it.

Q.—Supposing there is some assurance that these conditions will be fulfilled, and in some provinces these conditions can be satisfied, have you any other objection to go the Councils from the practical point of view?

A.—No.

HOW EVIDENCE DEALT WITH

124. It is easy to multiply instances of this nature but we feel we shall not be justified in dwelling on the point at greater length as it is evident that a question like this cannot be decided by reference only to the number of witnesses. It involves a principle and gives rise to various considerations in determining the practical utility of adopting it in practice. It is necessary to examine the grounds upon which each opinion is based and see if they can justify the inference drawn. It is obviously impossible to deal with the huge mass of evidence witness by witness. We shall therefore take each ground of objection and comment on it briefly.

THE FATWA

125. The first raises the all important-question of the *fatwa* of the Jamait-ul-ulema which is supposed to stand in the way of Mohammedans in the matter of entry into the Councils. It goes without saying that any proposal which cannot carry the entire approval of the Mohammedans must be ruled out at once without reference to the merits. It is of course for the Jamait-ul-Ulema to say how far the *Fatwa* will apply, if at all, to a line of action such as the one we have suggested. We find that it does not apply at all to the running of elections and as regards entry into the Councils it refers to the normal work as it is at present carried on and prohibits the co-operation it involves in emphatic terms. On the question of the oath of allegiance also it proceeds on the assumption that the allegiance thereby imposed is to the Government which is not the case. We give a translation of the material portion of the *Fatwa* in Appendix XII* and although the authoritative decision of the question must rest with the Ulema, we venture to say that a close examination of the language used justifies a further reference to that learned body of divines to reconsider their verdict with special reference to the object with which elections are to be contested and the use which it is proposed to be made of the Councils. We are encouraged to recommend such reference on the strength of the principle "all actions depend upon intent."

* Not printed in this book.

OATH OF ALLEGIANCE

126. The next objection taken has reference to the oath of allegiance. It relates first to the taking of the oath itself and secondly to the propriety of entering into the Councils with the avowed object of paralysing them after giving an undertaking in the form, "I will faithfully discharge the duty upon which I am about to enter." As regards the first part all that is needed is to swear allegiance to the Sovereign of England. We find nothing in the Congress creed to prohibit it and as long as our objective of complete Swarajya can possibly be gained within the British Empire we see no harm in declaring on oath or solemn affirmation what is an incontrovertible fact. That under existing conditions we owe allegiance to the Sovereign of England cannot be doubted whether we say so or not. We should have thought that the non-co-operator who has laid his cards on the table would be the last to hesitate in admitting the truth. It is possible that the bureaucracy may in the near future drive us to join the school of thought which insists on independence but so long as that event does not happen and the Congress and Khilafat creeds remain as they are we can find no real difficulty in taking the oath of allegiance. There may of course be people who have conscientious scruples in this respect but we are dealing here with the general movement and its principles. The objection based on the *fatwa* has already been dealt with and we believe as we have suggested that it can be removed by a further reference to the Ulemas.

THE DUTY IMPOSED

127. As to the second part of the objection we have no doubt whatever that a non-co-operator who secures his election to the Council with a distinct mandate from his constituency to obstruct the proceedings at every step (as would be the case if our suggestion is adopted) can only "faithfully discharge the duty upon which he is about to enter" by acting in strict accordance with that mandate. The whole question turns upon what is the duty of a representative of the people who is elected to an assembly by the suffrage of his countrymen and has pledged himself to follow a particular line of policy. We are clearly of opinion that such a representative would not only be failing in his duty but be guilty of a gross breach of faith if he swerves by a hair's breadth from that policy. But it is said that the undertaking contained in the form of the oath is in conflict with the policy of obstruction as it involves an obligation to act under the provisions of the Act. We fail to see any such conflict. It is obvious that all obstruction to be effective must be offered in accordance with the rules governing the conduct of business and so long as those rules are observed we can discover no dereliction of the duty undertaken. Obstructive

tactics in relation to particular measures are a common feature of all legislative assemblies in the world and have never been considered to be anything but the exercise of a legitimate right. If such tactics can properly be resorted to in relation to particular measures we cannot conceive of any reason why they should be regarded as reprehensible if applied to a large number of measures or to all the measures which are brought forward. Reliance is placed on the Preamble of the Act and it is said that the duty undertaken by the oath implies acquiescence in the policy of Parliament therein set out. If that be so the oath conflicts with the settled convictions of many if not all the Moderates who have entered the Council after taking it. We are not aware that there is any school of thought in India which fully endorses the famous declaration of August 20th, 1917, which is reproduced in the Preamble of the Act. In the Calcutta session of the Congress of that year when both Moderates and Extremists sailed under the same colours the limitations contained in the declaration of August 20th were unanimously condemned and by none so vehemently as the present Moderates. The forcible characterisation of these limitations by Babu Surendra Nath Banerji as a "rift in the lute" is fresh in the memory of Congressmen. But quite apart from the attitude of the Moderates we can only express our surprise at the calling in aid of the Preamble of the Act to explain the meaning of the oath of allegiance. It is easy to show that such a use of the Preamble is wholly unwarranted but for obvious reasons we refrain from going into the purely legal aspects of the question which cannot have any reference to moral considerations on which alone the objection to have any weight must be founded. We may however point out that the argument if carried to its logical end means that the moment a person takes the oath he is debarred for ever from taking exception to any of the provisions of the Government of India Act which is absurd. We are therefore quite clear that there is no valid objection to the oath of allegiance. It is said by our dissenting colleagues that "no conscientious person can stand for election with the avowed object of wrecking the institution and take such an oath, and except by casuistry or mental reservation can feel justified in adopting such a course." No reasons are given for this dictum and we fail to see any justification for it. Strong words do not constitute an argument and we take no further notice of the remarks. We have given our reasons and leave the matter there.

It is unnecessary to go into the evidence on the point which is meagre but we give the following extract from the statement of Pandit Harkaran Nath Misra as a correct appreciation of the principle:—

Q.—What about the oath of allegiance? Does it offer any obstacle

in the way of Non-co-operation? Will it be necessary for the Congress to change its creed and give the mandate to the Non-co-operators to go into the councils?

A.—The party which wants complete independence without the British Empire, is very limited, and probably there are very few persons who do not like to go into Council but there are many who want to get Swaraj within the Empire, and in that case oath of allegiance must not stand much in your way.

INCONSISTENCY WITH NON-CO-OPERATION

128. The next objection raised is that entry into the Councils would be inconsistent with the Non-co-operation resolution of the Congress. There is no doubt that such entry involves a material change in the programme of Non-Co-operation as passed at Calcutta and re-affirmed at Nagpur and Ahmedabad. In the words of Mahatma Gandhi "Rejection of courts, schools and councils is an integral part of the programme." All that this Committee or the All-India Committee can do is to make such recommendations as they may be advised for the consideration of the Congress at its next regular session at Gaya. But when it is said that the suggestion we have made is inconsistent with the principle of Non-co-operation we entirely differ. As we have already observed we can think of no higher form of Non-co-operation than entering the Councils and non-co-operating with the Government at every step.

BRIEF HISTORY OF THE CLAUSE

129. It will not be out of place here to give a brief history of the clause relating to boycott of Councils. As has already been pointed out (see paras. 13 and 14) this item did not find a place in the programme of Non-Co-operation until after the Leaders' Conference had been held in Allahabad, on the 2nd June 1920 though the principle had been enunciated some time before. We find that in an article contributed to the columns of the "Nava Jivan" and reproduced in the "Young India" of 9th June, 1920, Mahatma Gandhi gives some very wholesome advice to the voters as to the qualifications they should insist on before voting for a particular candidate, and points out the disirability of sending the best available men into the Councils. Shortly after Lala Lajpat Rai, in an article in his Urdu paper "The Bande Mataram," announced that he had "resolved after much deliberation that he should not stand for election." This article was reproduced in the "Young India" of June the 30th, 1920, and was followed by a statement to the press issued by Mahatma Gandhi in which he welcomed the suggestion of Lala Lajpat Rai and expressed the opinion that "it would be a fine education for them if the electors are not to elect anybody and unanimously to tell whosoever may seek their suffrage that he would not represent them if he sought election so long as the Pun-

jab and Khilafat questions were not satisfactorily settled." This statement appeared in "Young India" of the 7th July, 1920, which also gave publicity to the report of the Non-co-operation Committee appointed at the Leaders' Conference held in Allahabad. It was in this report that the boycott of the reformed Councils found a place for the first time and was repeated after a great struggle in the Subjects Committee in the resolution passed by the special session of the Congress in Calcutta. It will thus be seen that the idea of the boycott of Councils in the form adopted at Calcutta was not considered an essential feature of Non-co-operation at the beginning and was only gradually evolved as better calculated to educate the country in the rights of citizenship. The principle underlying the Calcutta resolution was that the Government consolidates its power through the Councils and what it prohibits is co-operation with the Government which will help such consolidation. It is evident that so far from contributing to strengthen the power of the Government, the Non-co-operator, by carrying out the policy suggested by us, in the Councils, would be laying the axe at its very root. We see nothing in the Nagpur and Ahmedabad Congress resolutions which can be taken to conflict with this view.

COUNCILS THRIVE ON OBSTRUCTION

130. Reliance is next placed on a dictum of Mahatma Gandhi contained in the following passage:—"I submit that in a sense we co-operate by joining even though the object is obstruction. Most institutions, and a British Legislative Council most of all, thrive upon obstruction. The disciplined obstruction of the Irish members made practically no impression upon the House of Commons. The Irish have not got the Home Rule they wanted." ("*Young India*," 14th July, 1920).

The aphorism that "Governments thrive on obstruction" has become a copy-book maxim with some Non-co-operators who tear it out of the context and use it as a rule of general application. It is not realized that the argument has force only when applied to obstruction by a minority such as that of the Irish members or of the Labour party in the House of Commons or of the non-official members in the pre-Reform Councils in India. As soon as the party of obstruction commands a majority, its obstruction, instead of giving vitality to the Government, results in its total paralysis. In countries where there is responsible Government the Ministry when its support in the House dwindles down into a minority has to go out and make room for a new Ministry representing the majority. In India the position is different. The Government is not responsible to the House or the country and is not called upon to resign and give place to a new Government. But it cannot carry on the administration as a Government under the reformed

constitution. Both the Government and the Councils established under the constitution must come to an end and the administration must take the form of despotic rule. The Reform Act must go and the choice will be between a new Act according to the wishes of the people and naked despotism. The argument that Governments thrive on obstruction has no application when the party of obstruction is in a majority. Mahatmaji's remarks must be read in the light of the illustration he gives of the Irish members in the House of Commons who did not exceed 100 in a House of 700. His observations would hold good only if the obstructionists fail to secure a majority.

HIGH MORAL LEVEL

131. Another objection which at first sight appears to be a serious one is that going into the Councils for the purpose of obstruction will not be in keeping with the high moral level of the movement. We do not know what non-co-operation is unless it be a series of obstructions carried to the extent of wholly paralysing the Government. Every boycott, be it of schools and colleges or of courts or of shops for the sale of foreign cloth or alcoholic drinks is nothing but obstruction pure and simple. If it is not descending from the high moral plane we occupy when we obstruct these institutions we cannot conceive of any reason why it should be so if obstruction is offered to the working of the Councils, which have helped to plunge the country in the suffering and misery we see around us. We maintain that going into the Councils with the avowed object of ending them if they would not mend, is not only not inconsistent with the principles of non-co-operation but is a manlier way of grappling with an evil than running away from it.

THE THEORY OF GIFT

132. Again it is said that the Reforms being a gift from the Government, it is immoral to use them for the purpose of destroying it. We cannot for a moment concede that the Reforms, shadowy as they are, have come to us as a free gift from the Government. It may as well be argued that the usurper, in restoring an infinitesimal part of the thing usurped to the real owner under compulsion, is making a free gift to the latter. But some kind of moral turpitude is said to be involved in the act of using a weapon placed in our hands by the Government against the Government itself. It is like taking a sword from your adversary and using it to wrest the machine gun which he has trained upon you. The weapon wielded by the Government under the reforms is a far mightier one than that we can forge out of the scraps left to us. What we are aiming at is to render that mightier weapon useless against us by following the natural instinct of self-preservation. Obstruction being of the very essence of Parliamentary Government it is easy to conceive that a

situation may arise quiet apart from non-co-operation when in order to achieve an object of immediate vital importance it may become necessary to set up wholesale opposition to less urgent measures of undoubted utility. We can only repeat that we find it impossible to draw the line where obstruction ceases to be a virtue and suddenly becomes a vice. The boycott of the Councils was not advised because it was a pious act in itself. In the article last quoted Mahatmaji says: "We boycott an institution because we do not like it or because we do not wish to co-operate with its conductors. In the matter of the Councils the latter is the deciding reason." So that the boycott is really based on solid practical grounds and has nothing to do with far-fetched religious or moral theories. We keep in view the real object and suggest an alteration in form on equally solid and practical grounds of which no honourable man need be ashamed and are met by the objection of immorality! No attempt is made to show wherein the immorality lies, but it is assumed that if Mahatmaji advised a course of action it must have been on moral grounds and deviation from it is highly immoral, however much the circumstances might have changed since he gave the advice. It is forgotten that Mahatmaji besides being a great religious and social reformer is also a statesman of a very high order.

TEMPTATIONS

133. The next argument that the Non-co-operators are not sufficiently disciplined to carry out the mandate of the Congress and are liable to temptations furnishes if true a sad commentary on the high moral level claimed for the followers of the movement. Happily we have no great misgivings on the subject. Mr. Aney * has effectively disposed of it by the following trenchient statement:—

Mr. V. J. Patel—Q.—I want to know if the non-co-operators go to the Legislative Councils, are you not afraid of their being corrupted by these influences?

A.—I think we can certainly find out a sufficient number of persons who can stand this temptation. If the nation cannot find sufficient men who can withstand this temptation, then we have been behind in the race of political agitation and should not talk of a bold action either inside or outside the councils.

Q.—Have you not known instances in the past of nationalists falling victims to temptation?

A.—What I say is I have to judge of nationalists who are backed by the mandate of the Congress with their resignations in the hands of the Provincial Congress Committee. When

* President, Provincial Congress Committee, Berar.

there is that fear behind them, they will be pledged to carry out a certain congress policy.

Q.—And if they fail to do it, then they will have to resign. With that condition you would like to send the nationalists to the Legislative Council?

A.—Yes.

WEAKNESS OF HUMAN NATURE

134. Dr. Pattabi Sitarammiya of Andhra takes a gloomier view. He thinks that the non-co-operator is not free from the weaknesses of human nature and is as much liable to succumb to corrupting influences as his fellowmen. The learned Dr. is a keen observer of human nature as his statement shows but has in this instance we venture to say overlooked its brighter side. We are sure he will readily admit that non-co-operation can claim as many, if not more, men of robust moral stamina as any other nation—having regard to our numbers, we are tempted to say, as many as half a dozen other nations put together. Are we ready for the immediate Swarajya we are fighting for if we are doubtful of finding a few hundred men in the country who can withstand temptation of all kinds? We decline to give room to any such pessimism. It will be readily admitted that there is a serious lack of discipline in the rank and file, but it is impossible to shut one's eyes to hundreds of recent instances of sturdy independence and selfless devotion which would do honour to any country in the world.

SELF-RESPECT AND DIGNITY

135. We next come to the point which above all others has confirmed us in the opinion we hold but strangely enough is used by our colleagues against us. The fact that a large number of distinguished non-co-operators including the great leader of the movement are disqualified under the rules by the reason of the sentences passed on them is relied on in support of the argument that it will be inconsistent with our self-respect and dignity to enter into the Councils. Babu Rajendra Prasad says that in these circumstances "it would be cowardice" to go into the Councils and he uses the word for want of a stronger term. The argument would be unanswerable if it were intended to co-operate with the Government in the Councils but having regard to the purpose for which the Councils are proposed to be utilised it not only loses its force but furnishes the strongest reason in support of our recommendation. It is precisely because the Government has dealt with us so badly that it becomes our clear duty to attack the stronghold it occupies with all the energy we can command and spare no pains to destroy it. The Government has not hesitated to adopt all possible means to put down the movement and in doing so has, as we have

shown, greatly misused its powers. We are fully entitled to use all clean weapons available to us both for offence and defence provided we can do so without violating any of the cardinal principles of non-violent non-co-operation. We have so far been fighting for our just rights and the government has replied by a resort to general repression and the arrest and imprisonment of thousands of our earnest workers and selfless patriots including the great originator of the movement. We have taken it all in the true spirit of non-violent non-co-operation. An opportunity now offers itself to vindicate our national self-respect by carrying the fight in the same spirit into a new field of action, and we feel that we would be wanting in our duty not only to our colleagues in jail but to our country if we did not recommend the fullest use of that opportunity. We say that as long as our men are in jail, as long as there is no change of heart on the other side, as long as the Khilafat and the Punjab wrongs are unredressed and Swaraj remains a distant goal, so long there can be no question of co-operation with the Government in any shape or form, and the only policy admissible consistently with our national dignity is a policy of total obstructiou wherever possible. This is our reply to the repression and terrorism which has caused such misery and suffering to thousands of our countrymen and laid desolate thousands of homes. What is the reply that our colleagues who dissent from us and those witnesses who would cling to the existing order of things have to give? Their reply is, we shall in this great war of right against might continue to send our best men to the sacrifice, allow our work to come to a standstill and keep looking on while untold atrocities are being committed day after day but shall not touch one of the cleanest and most effective weapons which lies ready at hand. Are they doing their duty by our suffering countrymen or we, who would lose no time to grasp this powerful weapon and use it to the best advantage? Is their proposal consistent with the dignity of our manhood or ours? We leave these questions to be answered by the All-India Committee.

GOVERNMENT BY VETO

136. The next argument that it is impossible to offer successful obstruction to a Government armed with the power of veto ignores the elementary fact that there can be no greater paralysis of the system than Government by veto. We do not consider it necessary to go further into the point.

THE QUESTION OF MAJORITY

137. The real question is wether or not it is possible and probable to secure a majority of non-co-operators at the ensuing elections.

The evidence adduced before us strongly supports the belief that we shall be in a very substantial majority in all the Provinces if the Congress and the Khilafat declare in favour of entering into the Councils. Even witnesses with a strong bias against such entry and unable to view it as anything but a national disaster have no hesitation in assuring us of a large majority if the necessary mandate from the two national assemblies is forthcoming. When a witness like Pandit Santanam of Lahore who apprehends general demoralisation in the country if the boycott of the Councils in its present form is removed or altered has no doubt of a majority and is supported by Prof. Ruchi Ram so far as regards the Hindus and Sikhs and by Maulana Abdul Kadir on behalf of the Mussalmans, we may be quite sure of the Punjab. Here is the relevant extract from his evidence :—

PUNJAB

Pandit K. Santanam, General Secy., Punjab Provincial Congress Committee to Mr. V. J. Patel

Q.—Supposing the Congress gives a mandate that we should capture the Legislative machinery and thereby obstruct the Government in all possible ways do you think that your province will send a majority of non-co-operators into the Councils ?

A.—I am disposed to believe that, in that case, Non-co-operators will be in a majority in the councils. If all the men now in jail come out, you will have sufficient capable candidates for the posts.

Q.—Then the people have got sufficient confidence in the Congress leaders that they would return a majority of them into the Councils.

A.—I can say this on behalf of the Hindus and the Sikhs.

Q.—(M. Abdul Qadir). What do you say about the Mohamedans ?

A.—(M. Abdul Qadir). I hope that the Mohammedans will return a majority of the Congressmen into the Councils. They will follow the lead of their leaders.

There is a weighty body of evidence from the other Provinces in support of the same view. We give the following extract which will speak for themselves:—

BIHAR

Mr. Rajendra Prasad, to Pandit Motilal Nehru

Q.—Having regard to the feeling in your province do you think that after the Congress has made it permissive, assuming the Congress makes it permissive to N. C. Os. to go into the Councils, will the propaganda among the electorates asking them to vote for Congressmen be successful, having regard to the temperament of the people ?

A.—It is difficult to answer that question.

Q.—What I mean is this. Is the feeling against the Councils so strong that if the Congress merely makes it permissive to N. C. Os. to enter the Councils can the electorates be educated to send a large number of Non-co-operating candidates to the councils? Do you expect a majority in that case of N. C. O. Councillors?

A.—I think if N. C. Os. are allowed to go and if they carry on propaganda they might capture a majority of votes.

Q.—Then the feeling depends on what the Congress says?

A.—Yes, very much.

Q.—The common people will not think that now that Mahatma Gandhi is in jail we are going back on the Congress resolution as framed by him?

A.—The prestige of the Congress now is so great that it may carry the people with it to a considerable extent.

Q.— What do you expect? It may or may not?

A.—It may if the Congress removes the ban.

Q.—The fact that we are going back on the Congress resolution as it was started by Mahatma Gandhi will have little effect?

A.—I think so. It is possible to capture a good number of seats if it is thought desirable.

UNITED PROVINCES

Pandit Harkaran Nath Misra, General Secretary, U. P. Provincial Congress Committee, Allahabad, to Hakim Sahib.

Q.—What is your opinion about the Councils?

A.—We advocate the boycott of Councils.

Q.—If you think that the Constructive Programme is not sufficient and if the Congress decided that you should go into the Councils and make it impossible for the co-operators to co-operate with the Government, and lay every sort of obstruction in their way, do you think you will go into the Councils with the Congress mandate.

A.—It is very difficult to go into the Councils with the Congress mandate, because there is the ulmas Fatwa and unless that Fatwa is changed, there is no use going into the Councils.

Q.—Suppose the Fatwa is changed, then, do you think, you will get a majority of non-co-operators in the Councils?

A.—Yes.

Mr. Sham Lal Nehru, Secretary, Town Congress Committee, Allahabad, to Mr. V. J. Patel

Q.—What harm are the Moderates doing by entering the Councils?

A.—There are very few Moderates in this country, and they have no chance of doing any mischief to our cause except through the Councils and if we do not give them this chance there woul

have been no Moderate in the Council and could not have done any mischief at all.

Q.—In this country as well as abroad ?

A.—Specially in England, so that he would not have had the chance of going abroad.

Q.—Then, there are many things which I would ask you about the work that the non-co-operators can do by going into the Councils for instance, they can veto the Budget and taxation they can thwart and can leave the Council at any time. They would not have voted the address of the Prince of Wales if the N. C. Os would have been in the Councils ?

A.—I am not so very keen about benefiting the country, but I am very keen to throw out the Moderates by entering the Council, and successfully obstructing the Council.

Q.—Do you think that if the N. C. Os get a mandate from the Congress there will be majority of non-co-operators in the Council from the U. P. ?

A.—They would get a thundering majority.

ASSAM

Syt. Omeo Kumar Das, Secretary, D. C. C., Tezpur, to Pánditji

Q.—Are you in particular against going into the Councils, or because you think that there will not be a majority of the Congress-men, therefore we should not go into them ?

A.—We expect a majority.

Q.—If the Congress passes a resolution that you may go into the Councils, do you expect a majority of Congressmen will be returned to the Councils from your district ?

A.—We do expect a majority.

Q.—And if the Congrees leaves it to the will of the people to do as they please?

A.—Then I am afraid, there will be no majority.

Q.—And why should you say that you should not remove the boycott of the councils?

A.—Because the present councils have no power to execute the resolutions they pass.

MAHARASHTRA

Mr. N. C. Kelkar, Member of the A. I. C. C. and Working Committee, to Panditji

Q.—Do you expect a majority of non-co-operators to enter the Councils at the next election if the Congress allows N. C. Os to enter the Councils?

A.—A large number of N. C. Os can get into the Councils ?

Q.—Do you expect your electorate will return a fairly large majority of N. C. Os to the Councils?

A.—I am quite sure.

Q.—For the present if the Congress recedes from that position and says: We leave it to you to enter the Councils or not. As things stand at present, do you think the majority of the electorate will send any non-co-operators to the Councils?

A.—I think so.

Q.—Will there be a majority of N. C. Os in the Councils?

A.—I cannot give any assurance as to a majority, but the men who can be relied upon can enter.

C. P MARATHI

Dr. B. S. Munje, to the President

Q.—I suppose when you are thinking of going into councils you think you will have a clear majority?

A.—Yes, at least in my province I am confident of a nationalist majority.

BERAR

Mr M. S. Aney, President, Provincial Congress Committee, Berar, to Dr. Ansari

Q.—Do you think if the Congress were to give a mandate for going into the Councils you will get a majority?

A.—So far as my Province is concerned I have not the least doubt about it.

Q.—Do you think that even if the Mussalmans decide not to go into the councils you will have a majority?

A.—Even then we can get a majority. In the electoral roll their number is not very preponderating.

KARNATAK

Mr. Angade (Non-Brahmin)

Q.—You said that your statements were only as regards your province. I will ask you to give your recommendation as regards the whole of India. Apart from the question of unity taking it all round, would you advise entry into the Councils for the whole of India?

A.—Yes.

Q.—And would you suggest that the Congress should give a mandate to the non-co-operators?

A.—They should relax the rule.

Q.—Do you expect to have a majority of non-co-operators in the Councils?

A.—I think so. This would be obtained for the whole of India.

ANDHRA

Mr. V. Ramdas, Madras, to Mr. C. Rajagopalachariar

Q.—If you cannot get the Nationalists in a majority into the Councils would you still prefer to go into the Councils?

A.—If there is no chance of the Nationalists getting into the Councils in large numbers so as to form a majority, I would not prefer to go into the Councils.

Q.—You are only in favour of going into the Councils if we get a good majority. Then, are we to ascertain this beforehand or actually standing and getting the seats and refusing to enter if we do not form a majority?

A.—We shall get a majority in the Councils.

Q.—What do you say to Mr. Pattabhai's remark that the communal interests that have been based on communities is such that if we now run candidates into the Councils we cannot get a majority ?

A.—I do not agree with this view. With regard to Hindus, we have no trouble at all. With regard to Brahmin and Non-Brahmin question if the Non-Brahmin feeling is strong against the Brahmins, then they should stand aloof. I think we can find sufficiently large number of candidates from Non-Brahmins to go to the Councils.

TAMIL NADU

Mr. A. Rangasawmy Ayyangar, to Pandit Motilal Nehru

Q.—You spoke about capturing the majority of seats in the Council. How is one to be sure of this majority ? We can only act upon such data as we can get. I dare say we can give them. What is your experience of Madras? Do you think they will return a majority ?

A.—If the Congress advices entry into the Council, I expect the electorate to return a majority of Congressmen.

Q.—If the Congress does not ?

A.—I don't expect a majority. The Congress must definitely say that Congressmen can enter the Council.

Q.—Supposing you expect a majority and in the result you happen to be in a minority. will you still go into the Council ?

A.—No.

Q.—You will keep the seats empty?

A.—Yes.

Mr. S. Satyamurti, to Mr. V. J. Patel

Q.—Do you think that in lieu of the existing non-Brahmin councillors you can prepare the electorate for the election of non-Brahmins who will sympathise with the principles of the Congress?

A.—The Congress movement has roused the consciousness of

the people during the last 18 months. It is easier to get a majority for us in the legislative bodies than it was before. So many men have gone to jail. The country has understood what sort of people the Congressmen are as a class. The electors will give more support to Congress candidates than they would have done at the last election. Men's conscience has been improved because new ideals have penetrated them now. They have understood that the Congress stands for something sober and patriotic. It was really doubtful at the last election to have secured the majority. Chances are much better this time than they were last time.

Mr. Abdul Qadir Siddiquee, President of Nimar Dist. Congress Committee, and Vice-President of Provincial Khilafat Committee, C.P., Hindustani, to Hakim Ajmal Khan

Q.—If Congress wants that we should go to the Council can you get a majority in the Council of non-co-operators in this Province?

A.—Yes, we can get non-co-operators in majority for the Council.

Q.—What is the opinion of the Mussalmans of this Province for going to the Council?

A.—Only on account of the Fatwa they will hesitate to go to the Council.

Mr. V. D. Salpeker, President, D. C. C., Chhindwara, to Mr. V. J. Patel

Q.—Suppose you would get a majority in the Council. If the Congress gives a mandate that non-co-operators should go into the Councils for the purpose not of co-operating, but for obstructing in the very home of the enemy, then would your province return a majority of the non-co-operators?

A.—If there is sufficient propaganda as we had at the time of the boycott of Councils, then non-co-operators would get a majority in the local Legislative Council, in case there is the Congress mandate to this effect.

Mr. G. C. Varma, Jubbulpore, to Dr M. A. Ansari

Q.—If the Congress gives you a mandate that you should capture the Councils, do you think you will have a majority of N. C. Os in the Councils?

A.—Yes.

GUJRAT

Mr. Yagnik, to Mr. V. J. Patel

Q.—Suppose the Congress gives the mandate and the Gujrat Provincial Congress Committee not listening to the advice of its President advises its members to go to the Councils, I want to know

whether from Gujrat constituencies you would get a substantial majority of N. C. Os. Has the electorate got that confidence in Congresss organisations?

A.—Within Gujrat proper given all the conditions you mention, I think it likely that we should have a majority but not such a majority of more than 75 % as would be necessary for making obstruction effective.

BENGAL

Mr. J. M. Sen Gupta, to Mr. V. J. Patel

Q.—Take the Council electorate in your province. If a referendum were taken among the Council electorate to-day, do you think there would be a majority for the boycott of Councils or a majority in favour of entry into the Councils?

A.—If you get the Congress to say that the Councils are desirable the majority will come round, but until the Congress says so I doubt whether you will get a majority amongst the voters even. It all depends upon the Congress resolution.

Q.—If the Congress resolution is changed, *i. e.*, the Congress permits entry into the Councils, then even without propaganda in favour of the Councils, you would get a majority of people in favour of entry into the Councils?

A.—I think so.

Shriyat. Satyendra Chandra Mitter, Secretary, Bengal Provincial Committee, in giving his points of difference from the spokesman (Mr. J. M. Sen Gupta), stated:—

I was one of those who stood as a candidate and I felt that we should enter into the Council. But subsequently we found, as I see it now, that we would have been wrong to enter into the Council. It was right that we withdrew on the following grounds:—

Firstly, we had very little chance to have the majority, *e. g.*, Mr. C. R. Das was a candidate and he had a rival—a big zemindar. Though he had great chance, yet he was not absolutely certain. Mr. Chakravarty had also very little chance. I cite the example to show you the proof that we were right not to enter the Council as we had very little chance to have the majority, now it is quite different. We have now chance to get the majority.

138. We have given the above extracts to show that there is a general belief in the country that a majority of non-co-operators can reasonably be expected to be returned to the Councils if the requisite sanction is given by the Congress and the Khilafat. There is some evidence to the contrary but it is of less weight and volume and the reasons on which it is based are far from convincing. Mr. Vallabhai Patel and Dr. Pattabhi Sitaramayya are the strongest witnesses on the other

side. The opinion of the latter has been quoted in part I of this chapter (see p. 72). Mr. Vallabbhai Patel gives similar evidence. Both of these gentlemen would have us believe, even if Mahatma Gandhi were free and threw in the whole weight of his irresistible influence on the side of the Councils, he would make little impression on the public. They take extreme views which not only find no support in the rest of the evidence but are in direct conflict with the one great factor with those who count on a majority have to contend against *viz.* the implicit faith of the people in Mahatmaji's sayings without regard to their applicability to a particular case. This is now taken by friends and foes alike as too clearly established to admit of any doubt whatever and has in our opinion influenced these witnesses themselves to some extent at least in taking the extreme position they have.

NET RESULT OF EVIDENCE

139. The net result of the evidence on the whole question of entry into the Councils given by this imposing array of 302 witnesses examined in the light of cold reason is that there is a good deal of honest misapprehension of the true bearings of the question in the country. Many of them have so accustomed themselves to think of the Councils as a contamination that they are unable to consider any proposal relating to them on the merits. Most of those who are prepared to discuss the question are either compelled to modify their original opinions beyond recognition or find themselves landed in absurdities. Some few have no doubt maintained their ground but it will almost invariably be found that they have done so on the basis of assumptions, the justification for which it is not always easy to discover. At the back of it all there is a vague undefined fear of some dire catastrophy befalling the nation the moment non-co-operators enter the Councils even hough it be to end them. There is enough material in the evidence to indicate what is the true lead required by the country but the bare opinions of the witnesses apart from the reasons on which they are based do not carry us far.

WITNESSES IN FAVOUR OF ENTRY INTO COUNCILS

140. We next take the witnesses who are in favour of entering the Councils. The total number of these according to the general classification (the absolute accuracy of which, as has already been stated, is not vouched for) is 163 and out of this only 15 are shown in favour of a policy of total obstruction. This does not mean that the remaining witnesses are against the policy. The great majority of them who have been questioned on the subject have in their oral evidence made it quite clear that they would stand by the mandate of the Congress, whatever it is. It may be safely said that

among these 163 witnesses very few will be found to be definitely against the policy of obstruction in principle. The general sense seems to be in favour of concerted action on the lines laid down by the Congress, and the apparent "grading off" merely represents the extent to which each group is prepared to go if left to itself. There is therefore no danger whatever of the different groups pulling each its own way. They are all actuated by the one common desire to see that the Councils are not exploited by the Government to suppress the movement. While some will not be satisfied with anything short of a total prevention of the evil, others are content to minimise it as far as possible. This does not show that they will not welcome total prevention if that is possible. To illustrate the above remarks we give below extracts from the statements of Dr. Moonjee (C. P. Marathi), Mr. Aney, (Berar) and Mr. A. Rangaswami Iyengar (Tamil Nadu) who do not insist on total obstruction as a condition precedent.

Dr. B. S. Moonje questioned by Mr. V. J. Patel

Q.—You said to Mr. Rajagopalchariar that you would co-operate where co-operation was necessary and oppose where it was otherwise. If the Congress directs you to go there to paralyse the Government will you do it?

A.—We shall carry out the mandate of the Congress.

Mr. M. S. Aney, President, Provincial Congress Committee, Berar, questioned by Dr. Ansari

Q.—What mandate would you like the Congress to give?

A.—If the Nationalists are in a majority in the Councils and are capable of achieving what they want, then they should try to secure reforms on the subjects mentioned by the Congress; or otherwise they should wreck the Councils. They can take any attitude they choose.

Mr. Rangasawmy Ayyangar questioned by Mr. V. J. Patel.

Q.—There is another view put forward that we should go into the Councils and carry on responsive co-operation that is to say co-operate where Government is willing to give us something in the way of constructive programme, National Education, and the rest of it and obstruct the Government where we feel it is necessary to do so.

A.—If we have a clear majority I don't think we need do that. I would go straight away to start obstruction.

Q.—Then this is really the position which Mr. Das insisted at the time of the Calcutta Congress. I quite see that. You have not changed the views since the Calcutta Congress?

A.—I have always been of that opinion. I have of course submitted to the decision of the Congress.

Q.—When you go into the Council and when we are asked to say what our attitude is, are you to say that we are out there immediately if possible to wreck the Reform Act or not?

A.—Certainly, you are there to wreck the Act.

We do not propose to give extracts from the evidence of the witnesses who favour entry into the Councils as we have referred in a comprehensive form to the various degrees of obstruction they advocate.

OTHER OBJECTIONS DISPOSED OF

141. We have also dealt with the arguments of our dissenting colleagues so far as they are covered by the evidence of witnesses. For the rest we find nothing but generalisations and laying down of moral precepts which with due deference we think are quite out of place. For instance we find a nice distinction drawn between wrecking the Councils from inside and bringing about the same result from outside. The latter is commendable and the former immoral. We have shown that the latter is impossible and the former is the only means of doing it. The 'moral plane' argument has already been sufficiently discussed. Then it is said that diarchy is self exposed and there is no need of our going into the Councils to wreck the Reforms, reliance being placed on no less an authority than Sir Valentine Chirol. But surely we are not suggesting entry into the Councils for the academical purpose of proving the failure of diarchy or the success of some other 'archy'. If the wrecking of the Reforms which has so far been the main plank of the Congress platform is now unnecessary, why not withdraw the boycott altogether and leave things to take their own course. This would save much valuable time proposed to be spent in the futile attempt to induce voters to abstain from the polls and will enable the workers to give their undivided attention to the constructive programme with its inevitable consequence of workers being picked out one by one and safely lodged in gaol. As for the dictim of Sir Valentine Chirol, we cannot be too careful to guard against exploitation by English publicists at a time when a general election is imminent. Nothing is more likely to take us off the right course than a ready acceptance at their face value of statements made and opinions expressed to serve political ends in England.

"COME INTO MY PARLOUR"

142. Our esteemed colleagues have put in the forefront of their note an extract from a recent utterance of Sir George Lloyd. We confess we fail to see its bearing on the question at issue. It is the usual "come into my parlour" invitation to which we are fairly well used and does not even possess the merit of originality.

More to the point would have been the opposite sentiment which you get by the simple process of reversing the name of the speaker and shifting the scene to Westminster. Here is what the British Prime Minister says on the subject :—

"The Non-co-operation movement at the present time is in a state of collapse. What part it will take in the next election we cannot tell, what influence the non-co-operators and men of that king will exert upon those elections, I cannot predict. A good deal will depend upon the kind of representatives chosen at the next election whether they will be men of moderate temper, such as those who constitute the present legislature, men who are honestly and earnestly doing their best to make this new constitutional experiment a success, or whether they will be there as men who are simply using all powers of the machine in order to attain some purpose which is detrimental to British rule and subversive of the whole system upon which India has been governed up to now. That is why I say that the most serious and most trying time which will constitute the real test of success of this effort is yet to come. I think it is right that we should say that, if there is a change of that kind in the character of the legislature and in the purpose of those who are chosen in design of responsible and chosen leaders of the Indian people that would constitute a serious situation and we should have to take it into account. One thing we must make clear, that Britain will in no circumstances relinquish her responsibility to India * * * We will take whatever steps are necessary to discharge or to enforce them."

This is exactly what we have ourselves foreshadowed, the only difference being that while the British Prime Minister has uttered vague and veiled threats, we have laid our cards on the table and disclosed every move we intend to make.

INTER-COMMUNAL JEALOUSIES

143. Our colleagues have made a passing reference to "inter-communal jealousies." We can quite understand differences arising on communal questions in the Councils where the ordinary business is transacted on normal lines, but when all that has to be done is either to wreck the Councils or to keep away from them according as the Non-Co-operators are in a majority or a minority we see little reason to apprehend an exhibition of communal or other jealousies.

NO ENGLISH PARALLEL

144. It will be observed that in attempting to meet our proposals reasons are often given which are applicable only to co-operation within the Councils and nothing is better calculated to illustrate the force of this remark than the connection in which the long

extract from Mahatmaji's Calcutta speech is quoted by our colleagues at the end of their note. He is there merely answering the argument which he has himself crystallised in the opening part of the quotation and his references to obstruction and paralysis of the Government as a student of English History can mean nothing more than the sort of obstruction that has been and could possibly be offered from time to time in English political institutions. We have already dealt with the maxim "institutions thrive on obstruction" and will here simply point out that the word "obstruction" is a misnomer when applied to majorities in English politics, which do not merely obstruct but carry everything before them. It is the weapon of minorities only and has as Mahatmaji rightly says proved very ineffective. A situation like the one in which we are placed cannot possibly arise in a self-governing country. We may without any breach of confidence refer to the fact that had it not been for the practical impossibility of obtaining a majority in 1920 many of the prominent workers would not have supported the boycott in the form in which it appeared in the Calcutta resolution. We have little doubt that when Mahatmaji was referring to obstruction in his speech at Calcutta he had this fact present to his mind.

STALEMATE IMMINENT

145. As we read the situation the contest is fast drifting to something like a stalemate and a fresh opening is necessary to clear the way for the main attack. We must either go forward or backward. It is impossible in our opinion to stand where we are for any length of time. There can be no doubt that if India can make real and substantial progress towards non-violence, removal of untouchability, intercommunal unity, boycott of foreign cloth and national education, she can easily wrest Swaraj without Non-co-operation or civil disobedience. Realising, however, that this is not possible for a long time to come, the Ahmedabad Congress advised a resort to civil disobedience. Mass or individual civil disobedience on a sufficiently large scale to force the issue being out of the question for the present, we must have something else as nearly approaching civil disobedience as possible. While there is a general desire for that 'something' among those who are against entering into the Councils no definite and workable suggestion has been made by any of them.

CONCLUSION

146. We are not concerned with the success or failure of diarchy or with the opinions of political parties in England to serve their own political ends. What we are deeply concerned with is the fact that England is keeping us down and

saving her face before the civilised world under cover of those sham councils and the mendacious propaganda about their representative character. This is felt by Indian Nationalists of all shades of opinion and the demand for counter-foreign propaganda is increasing day by day. But it is futile to compete with powerful England with her enormous resources and world influence, with her expert diplomacy with has enabled her to thoroughly pervert and use one of our ablest countrymen to go round the world at our expense as a Government propagandist, speak on our behalf and assure the great liberty-loving nations of the West that Gandhi is a crack-brained idealist, that his arrest and imprisonment are a triumph of British justice and that we are a happy and contented people. Before you are able to clothe a millionth part of the vast population of India in hand spun hand woven khaddar, before you can supply an infinitesimal fraction of the demand for national educational institutions, before any appreciable progress can be made in the removal of untouchability, before you can extricate yourself from the vicious circle, which has effectively frustrated your efforts to restore intercommunal unity we warn you that you will have completely gone under, unless you open your eyes to the pressing need of the hour. Theories and dogmas are all very well in their own way but they will not carry you far if you ride them to death. Knock these Councils on the head, and you will accomplish what millions spent in foreign propaganda cannot achieve. Wreck the Reforms and you will smash at one blow the huge superstructure of world-wide deception which has cost millions to build up.

In view of the dissent of our learned colleagues, we have felt ourselves compelled to devote more space to this subject than we had intended. Our only apology lies in the fact that we feel strongly about it and are convinced that it will be a political blunder to throw away the opportunity which is about to offer itself. We have shown what can be accomplished if we are returned in a majority. If we are wrong in expecting a majority we lose little by a trial strength at the poles but gain much by promoting the constructive work to an extent otherwise impossible at least in the province where repression reigns supreme. In case we are debarred from entering the contest we lose even less but demolish all pretence for the representative character of the Councils. If however our colleagues are wrong and the opportunity is allowed to slip by, we must be prepared to submit to existing conditions for another three years; and he will be a bold prophet who can say what will happen meanwhile

We have had our say and leave the decision of this most important question of the hour in the hands of the All-India Congress Committee.

Ajmal Khan.
Motilal Nehru.
V. J. Patel.

146 (*a*).—The following further note was received from Hakim Ajmal Khan on the question of entry into Councils:—

" The constructive programme, being the basis of all our actions, we should have recommended nothing else but the working of it. As I cannot, however, shut my eyes to the obvious fact that with the exception of a few provinces, we are not only not making any progress in this direction, but are actually going backwards, I, therefore, recommend entry into the councils with the sole object of proving that the Reform Scheme is useless, and with a view only to make its working impossible. If the whole of our Congress organisation, from top to bottom, were to take up the constructive programme in right earnest and push it through with a firm determination, which I very much doubt it would, I believe we should not feel the necessity of having to call to our aid any other stimulant, such as entry into the Councils.

AJMAL KHAN."

Delhi, 27th October, 1922.

[*Translated*]

CHAPTER VII.

OTHER PROPOSALS AND RECOMMENDATIONS

(*A*) LOCAL BODIES

147. The position of these institutions in relation to Non-co-operation is peculiar. The Congress, whilst it calls upon the Non-co-operators to boycott the Councils, makes no express provision regarding their attitude towards these institutions. The evidence adduced before us shows that the conditions prevailing in the country vary from province to province. The principles of Non-co-operation have however not been strictly applied even where Non-co-operators are in a majority. Both sets of witnesses whether for or against the entry of Non-co-operators into the Councils mostly favour the capture of local bodies and do not mind the co-operation with the Government which it necessarily involves. In actual practice we find that in the great majority of Municipalities and

Local Boards, the Non-co-operators are in a minority and that it is only in rare cases that they have captured them. While we find instances of partial Non-co-operation here and there, full Co-operation with the Government appears to be the general rule. Having regard to the fact that we have not yet embarked upon total Non-co-operation with the Government in all matters and that our programme, being a progressive one is at present confined to definite items which do not include local bodies, we consider it unwise to extend it in this direction. What the situation demands is a clear pronouncement by the Congress on the subject, as considerable doubt prevails in the country as to whether or not it is open to Non-co-operators to seek election to these bodies. It is clear that these institutions do not stand exactly on the same footing as Legislative Councils. They enter more deeply into the daily life of the people. We find that experiments to introduce Non-co-operation into these institutions in various degreees are being tried in certain parts of the country. It is difficult to estimate the measure of success which will be obtained by these experiment. Whilst therefore we think that it will be unfair to the bodies concerned to check their activities towards Non-co-operation, we do not feel that the time is ripe to call upon the country generally to follow their example. *We therefore recommend that in order to clear the position it should be declared that it is desirable for Non-co-operators to seek election to Municipalities and District or Local Boards with a view to facilitate the working of the constructive programme, but that no hard and fast rules be at present laid down to regulate or restrict the activities of Non-co-operating members beyond advising them to act in harmony with local or Provincial Congress organisations.*

(B) BOYCOTT OF GOVERNMENT EDUCATIONAL INSTITUTIONS

148. We are of opinion that the boycott of Government Educational Institutions is sound in principle and must be maintained as an ideal to be always kept in view and followed but *we recommended a strict adherence to the Bardoli resolution in regard to these by suspending for the present all active propaganda calling upon boys to come out of schools and colleges. As required by that resolution reliance should be placed upon the superiority of National schools for drawing scholars from Government Institution and not upon picketing or other aggressive propaganda.*

The first care of every province should be to put the existing National schools on a sound financial basis and improve their efficiency. The opening of new institutions without adequate provision for their support should not be encouraged.

(C) BOYCOTT OF LAW COURTS BY LITIGANTS AND LAWYERS

149. This boycott is also sound in principle and must be maintained as an ideal but litigants cannot be expected to avoid the Law Courts without being provided with an effective substitute therefor. Effort should therefore be concentrated on the establishment of panchayats and the cultivation of a strong public opinion in their favour. It is also necessary that provinces which have gone beyond the Congress resolutions in imposing disabilities upon practising lawyers as such should withdraw those disabilities and put these lawyers on the same footing as others who have signed the Congress creed and possess the requisite qualification for holding office under Congress organizations. The right of electors to elect whom they please should not be restricted by rule.

The principle of no defence and no bail should be followed by Non-co-operators accused of offences of a political nature but need not be extended to other cases Civil or Criminal in which parties should be left to their own discretion.

We therefore recommend that for the present workers should confine their activities to the establishment of panchayats and making them more efficient. We also recommend that all existing disqualifications of practising lawyers as such be removed.

(D) RIGHT OF PRIVATE DEFENCE

150. Apart from the risk of violence involved in the exercise of the right of private defence there is nothing in the Congress resolutions to prevent such exercise. It is well known that many Congressman pledged to non-co-operation while believing in it as the only feasible course open to them have adopted non-violence as a policy, and not as a religious faith, with the sole purpose of gaining the triple object of the movement. This is true generally of Mohammedans and also of a considerable number of Non-Muslims. The belief in the soundness of the principle being there, it makes no difference whether it is based on religion or prudence, and so long as the policy is not definitely given up both schools of thought are bound to adhere to it with full faith and without the least attempt at evasion. We see no justification however to enforce the rule where the reason on which it has been based by the school of prudence does not exist and deprive non-co-operators of the legal and natural right of self-protection against lawlessness in all cases. But we would make it clear that in the course of carrying on Congress work or on occasions directly arising therefrom we are not at liberty to use force even in private defence of person or property. If physical force were permitted in self-defence against illegal

action in respect of political work, there would be an end of non-co-operation. Outrages such as insults to religion or modesty of women or indecent assaults on boys and men are by their very nature excluded from the category of political cases, though advantage might have been taken of an occasion arising out of a political case. Against such outrages the right to use force in private defence is not taken away by non-co-operation. There may be difficulty in drawing the actual line of demarcation, but our immediate and most important need is to protect the movement from danger. By extending general permission to use force up to a clearly definable point even in matters arising out of Congress work, we would endanger the movement. We are advising not trained lawyers but laymen, and that too in respect of action under provocation. One of us (Mr. V. J. Patel) thinks that having regard to the humiliating and at times barbarous treatment meted out to non-co-operators while actually engaged in Congress work and the further fact that it is impossible to draw the line beyond which it is not permissible to go, the full right of private defence as given by law should be reserved to non-co-operators. The remaining members would rather have the individual suffer than risk any violation of the true principle or a general breach of the peace. The Committee has been deeply impressed with instances of cruel, unprovoked and disgraceful barbarities committed upon unoffending and paceful non-co-operators but the majority are not prepared to advise a resort to the right, undoubted as it is, without restrictions of the nature pointed out above.

We therefore recommend that individuals should be given full freedom to exercise the right within the limits defined by law except when actually engaged in carrying on Congress Work or on occasions directly arising therefrom subject always to the condition that it is not likely to lead to a general outburst of violence.

Our colleague Mr. V. J. Patel would omit the words "Except when actually engaged in carrying on Congress Work or on occasions directly arising therefrom."

(*E*) Organisation of Labour

151. The organisation of Labour with a view to raise the moral and material condition of our workmen and to give them political education is undoubtedly a very pressing need. It cannot be denied that well-organised Labour Unions are very powerful weapons when properly utilized. One of us (Mr. V. J. Patel) has very pronounced views on the subject and we fully agree with him in believing that there can be no real Swaraj unless it has been won with the conscious support of the labouring classes. Having re-

gard, however, to the general situation, we are all agreed that for the present, *it will be enough to carry out the Resolution of the Nagpur Congress* which has unfortunately not yet been acted upon. That resolution runs as follows :—

That this Congress is of opinion that Indian Labour should be organized with a view to improve and promote their well-being and secure to them their just rights and also to prevent the exploitation (1) of Indian labour (2) of Indian resources by foreign agencies and that the All-India Congress Committee should appoint a committee to take effective steps in that behalf.

(*F*) Boycott of British Goods

152. Three objections have been taken to the Boycott of British Goods by Mahatmaji. They are:—(1) "that it is has been conceived as a punishment and can have no place in Non-co-operation which is conceived in a spirit of self-sacrifice and is a matter of sacred duty" (2) that even as a measure of punishment it is not swift, certain, and adequate enough to produce the effect intended and (3) that it is thoroughly impracticable ("Young India", August 25, 1920).

With all due deference we confess our inability to follow the first two objections. So far as regards the first it is impossible to say of any boycott that there is no element of punishment in it, if punishment is taken to mean the causing of loss or harm to the offending party. The boycott of foreign cloth has already inflicted heavy punishment on Lancashire as will be evident from the extracts we give in Appendix and we hope and trust that the measure of such punishment will continue to increase day by day. It has also punished other foreign manufacturers and suppliers who have done us no harm and whose only offence has been to enter into a fair competition with the British manufacturers in the market which has been left open to all outsiders. There is not much suffering or salf.sacrifice involved in the use of hand-spun and hand-woven cloth and the real recommendation for it is the betterment of our economic condition and the removal of the greatest cause of our poverty which cannot be overrated. But the boycott of any other foreign article which it is possible to manufacture in the country has a similar recommendation, though not so strong, and if it is confined to British goods it has at least the merit of punishing only the guilty, leaving alone the innocent. It being then quite clear that the element of punishment cannot be separated from any boycott we see no reason why we should refrain from openly declaring that it is meant as a punishment for the untold hardships and humiliations we are being subjected to by all manner of means fair and foul. It is our right to use articles of a particular manufacture

only and in enforcing the boycott of British goods we are only fighting repression by the exercise of an undoubted right.

As regards the second objection it would hold good if the boycott of British goods were the only punishment applied. But it may be safely asserted that all our activities if successful are bound directly or indirectly to result in some kind of punishment. Every one of them taken by itself is not "swift, certain and adequate enough to produce the effect intended." It is the cumulative force of all which alone can carry us towards the goal. Viewed in that light there can be no doubt that the boycott of British goods will materially help the general programme.

We recognise the force of the third objection and are therefore not prepared to recommend a wholesale boycott of all British goods, but it has been represented to us that it is possible to select certain British goods which can be safely boycotted without much inconvenience. The number of witnesses who favour such boycott is 99 against 77 who do not. In these circumstances while accepting the principle

We recommend that the whole question be referred to a committee of experts for a full report to be submitted before the next Congress meets.

The question of boycott of foreign cloth stands by itself and should not be included in the reference.

NOTE.—*The above view was agreed upon by all the members on the 13th October except Shriyut Rajagopalachariar who was not present. The draft was shown to him on the 17th October when he expressed his dissent verbally and promised to send a note later on as he was leaving Allahabad. The note was received on the 23rd October and is given below.*

BOYCOTT OF BRITISH GOODS

Shriyut C. Rajagopalchariar's note of dissent

153. I have to express my respectful dissent from the opinions recorded by my colleagues about boycott of British goods.

It is needless to point out that so long as we seek to achieve our goal by the means planned by Mahatma Gandhi it would be the gravest mistake to introduce an addendum to his programme which according to his clear and respeatedly expressed opinion violates the b a s i c principle of the programme. We are fighting a terrible and organised system of force with a new weapon conceived by Mahatmaji; and so long as we adhere to his scheme, it is fair neither to him nor to ourselves to tamper with the integrity and purity of his scheme in a matter considered by him as of essential importance. It would be a fatal mistake to accept Dr. Lister's assurance that we can safely cut and chop the living human body, if we do not strictly follow his advice and see that our

instruments are clean and absolutely free from poisonous germs. We are undertaking the most serious steps conceivable on the basis of Mahatmaji's doctrine of freedom from hatred and it would be safe only so long as we keep that essential condition intact. But if we add any item to his programme which has to be cariried out by intense and widespread propaganda necessarily based on a clear emphasis of the principle of retaliation, we create an atmosphere fatal to the preparation of the people for the further steps of non-violent disobedience or non-payment of taxes and for the suffering contemplated in our programme. It would be much better to give up Mahatmaji's programme altogether than to attempt to carry it out, disregarding his most insistent advice and creating an unsuitable and fatal atmosphere.

NO CHANGE IN MAHATMAJI'S ABSENCE

154. The proposal to boycott British goods as such is not a new one. Ever since Mahatmaji's guidance was accepted by us, this proposal was pressed on him again and again but was condemned and rejected by him. If his objections could be met properly, the leaders who now support the proposal had occasion and ample opportunity to convince him, or at least obtain his permission to add the item though it might not have his active support. But in view of its essential inconsistency with the basic principles of the main part of our programme, and the atmosphere of hatred which it would create and thereby render the rest of our programme impossible he never gave quarter to the proposal. It would be most unwise to push the proposal through now and obtain the endorsement of the National Congress to it, during the absence of our great leader and without hearing him, that is if we do not set aside his principles altogether and proceed on totally different lines.

The great movement initiated by Mahatma Gandhi has appealed forcibly to the genius of the nation and obtained loyal attachment from the millions of our people by reason of its spiritual appeal more than anything else. It has similarly extorted the admiration of the world including the best minds even among those ranged against us, for that same reason. We cannot afford to tamper with that spiritual cleanliness of the programme whatever seeming advantage we might imagine that we shall obtain thereby.

MORE ABOUT HATRED

155. The arguments advanced by my colleagues, I have to say with the greatest respect, are based on an ambiguous use of the term 'punishment.' We may cause great loss to restaurant proprietors by cooking our food in our own houses but there would be no punishment or hatred in it, but to resolve to resort to all restaurants except one is quite a different thing and the feeling of

hatred in that case should be obvious. By carrying out one's own duties to oneself or one's family or nation, one may cause injury, pain or loss to others, but it is neither punishment nor ill-will; but to prefer all others to one particular nation, for no reason of gratitude towards the former for any services rendered, or on account of any other bond of affection or attachment, and without any fulfilment of one's own duties is sheer hatred. To say that to obtain our birthright of Swaraj, we so prefer others to the nation that holds us in bondage is to beg the question, *viz.*, whether the means suggested is consistent with the principle of non-violence adopted by us for the attainment of Swaraj. To make our own goods, to abstain from luxuries, to avoid buying needless British goods and to prefer Indian-made goods to British goods are always recommended. These are not what is meant by boycott of British goods. The latter means setting up an agitation that the nation should favour buying the goods of non-British nations in prefernce to British. This is what has been repeatedly condemned and ruled out by Mahatmaji as contrary to his principles.

KHADDAR IN JEOPARDY

156. My esteemed colleagues make it clear that in approving of a policy of boycott of British goods, they do not intend that the Shuddha Swadeshi character of the cloth programme should be relaxed. They mean that we should adhere to Khaddar and not buy Japanese, or other non-British yarn or cloth. This may be the intention but I am certain that no intense propaganda can be carried on for boycott of British goods without affecting the mentality of people in respect of the cloth question also. We cannot in dealing with the millions of our countrymen make such reservations. Effects will be produced in a general way and not according to the rule and line we draw. The non-British foreign yarn and cloth merchants and the Indian Mill-owners using foreign yarn and the numerous middle-men depending on these capitalists, will take every advantage of the new policy. The present difficulties of the Khaddar campaign will be increased tenfold.

What has so far achieved the most striking results is the concentrated Khaddar idea. This concentration we lose if we take up a programme covering all sorts of goods, while yet there is a very great deal remaining to be done even in respect of Khaddar. Nothing can be achieved, even if it were right, by merely passing a resolution of boycott of all or such and such British goods. It must, if seriously intended to be pressed, be followed up by intense propaganda; and this is sure to interfere with the concentration of effort over the cloth boycott which is admittedly the most important.

I concede that we may not succeed in weaning all people from hatred and ill-will towards a people that refuse freedom to us and are the cause of oppression and tyranny, and to delimit men's anger to the system and the tyranny and hold it back from the people that are responsible for the wrongs. But it is one thing to be unable to prevent a thing, quite a different thing to appeal to and encourage that very feeling.

A close and careful consideration of events will make it clear how Mahatmaji disarmed all open opposition to the Khaddar campaign by the elimination of boycott of British goods and by strict adherence to pure Swadeshi and yet at the same time succeeded in bringing about the most effective economic boycott. The disarming of opposition and the securing of moral advantage in the midst of the severest conflict is the peculiar strength and beauty of Mahatmaji's plans and are a result of the strict adherenee to the principle of avoidance of hatred. It would be a mistake to deviate from this policy.

NO OBJECTION TO EXPERT COMMITTEE IF PRINCIPLE NOT CONCEDED

157. There is no objection to the collection and examination of facts by experts in any matter, but the acceptance of the principle by the All-India Congress Committee would mislead the nation and injure the movement. Even making people await the report of a committee expecting some great results and new proposals is mischievous, in as much as to that extent it encourages slackening of effort in the one thing needed now, the completing of the cloth-boycott.

C. RAJAGOPALA CHARIAR,
19th October, 1922.

Note by Pandit Motilal Nehru

158. It is unfortunate that the above note was received too late to admit of being considered by the other members before the issue of the report which has already been long delayed owing to unavoidable causes. It raises a much wider question than the boycott of British goods, and is calculated to engender serious misgivings in the minds of a very large number of staunch Congressmen and Non-co-operators. There has never been any doubt that by accepting the programme of non-violent non-co-operation the Indian National Congress did not adopt all the views of Mahatma Gandhi expressed by him in his "Hind-Swaraj" and from time to time in the *Young India* and elsewhere. Congressmen are only bound by the principles accepted and formulated by the Congress and not by every word or sentiment which might have found

utterance from the lips of Mahatmaji. Many of his theories have yet to find favour not only with Congressmen generally but the country at large, and among them is the doctrine of Ahimsa and all that flows from it. The one common ground on which all non-co-operators meet is that violence in any shape or form is completely ruled out by existing conditions and is wholly outside the pale of practical politics. It was on this basis and this basis alone that the policy of non-violent non-co-operation was recommended by Mahatmaji and accepted by the Congress. He made this perfectly clear in his memorable speech at Calcutta in 1920. The following extract from that speech deserves careful attention :—

"But I am not here to-day to plead for that medium. I am to plead for the acceptance by the country of the programme of non-violent, progressive non-co-operation. Now all the words that I have used here are absolutely necessary and the two adjectives 'progressive' and 'non-violent' are integral parts of a whole. With me non-violence is part of my religion, a matter of creed. But with the great number of Mussalmans non-violence is a policy, with thousands if not millions of Hindus, it is equally a matter of policy. But whether it is a creed or a policy it is utterly impossible for you to finish the programme for the enfranchisement of the millions of India, without recognising the necessity and the value of non-violence. Violence may for a moment avail to secure a certain measure of success but it could in the long run achieve any appreciable result. On the other hand all violence would prove destructive to the honour and self-respect of the nation. The Blue Books issued by the Government of India show that inasmuch as we have used violence, military expenditure has gone up not proportionately but in geometrical progression. The bonds of our slavery have been forged all the stronger for our having offered violence. And the whole history of British rule in India is a demonstration of the fact that we have never been able to offer successful violence. Whilst therefore I say that rather than have the yoke of a Government that has so emasculated us I would welcome violence. I would urge with all the emphasis that I can command that India will never be able to regain her own by methods of violence.

" Lord Ronaldshay, who has done me the honour of reading my booklet on Home Rule, has warned my countrymen against engaging themselves in a struggle for a Swaraj such as is described in that booklet. Now, though I do not want to withdraw a single word of it, I would say to you on this occasion that I do not ask India to follow out to-day the methods prescribed in my booklet. If they could do that they would have Home Rule not in a year but in a day, and India by realising that ideal wants to acquire an

ascendency over the rest of the world. But it must remain a day dream more or less for the time being."

159. Again in the "Young India" of August 25th, 1921 Mahatmaji said:—

"Non-violence may succeed even if it is adopted as a matter of policy rather than creed, if it is combined with courage and real love for the country or the cause. Hatred of the wrong-doer does not necessarily mean love of the country. Our difficulty arises from the fact that many people make a pretence of non-violence without believing in it even as a policy. The Ali Brothers believe in it purely as a policy, but in my opinion there are no two truer believers in non-violence as a policy than they. They do believe that violence can only hurt the cause, and that non-violence, if extensively practised, can entirely succeed. A man who honestly practises truth as a policy certainly gains its material results, but not the one who feigns truth."

Truth, courage and love for the country or the cause are essential for the purity of the movement and cannot be too strongly insisted upon, but even Mahatmaji with all his greatness and the inherent beauty of his faith has felt that the time has not yet come to incorporate it in the Congress creed. It is perfectly true that "hatred of the wrongdoer does not necessarily mean love of the country" but it is equally true that it may co-exist with the love of the country. It must be remembered that non-co-operation was an answer to the Punjab and Khilafat wrongs. The horrors of the one and the bad faith of the other were not likely to engender love for the perpetrators of those wrongs. The distinction between want of love and hatred is too subtle for the average intelligence to grasp. It will take many years of preaching even for Mahatmaji to induce an Indian to love a Dyer and so long as Dyerism continues in this country it is futile to expect freedom from hatred. The evil is as old as the British rule in India which furnishes a long, uninterrupted story of insults and humiliations to which Indians of all classes have been subjected by Europeans, official and non-official. Scarcely a year has passed from the earliest days of the East India Company down to the present time without leaving behind a painful record of the offensive and irritating behaviour of the dominant to the subject race. But that is a very large subject. I refer to it here merely to show that you cannot remove the evil without removing the cause and that it is not in your power to remove the cause. The point is that Mahatmaji himself has disclaimed all intention of engrafting his "day dream" upon the political programme he has laid before the country and any attempt in that direction, if made by others is bound to end in disaster.

PURE EXPEDIENCY THE ONLY BASIS

160. It may be conceded that freedom from hatred is the "basic principle" of the programme as conceived by Mahatmaji and accepted by a considerable number of his followers but the only basis upon which the Congress as a whole has adopted it is one of pure expediency. The general feeling on the subjeet is well reflected in the statement of Syt. S. Srinivas Iyengar who has considered the subject from the point of view of the practical statesman :—

Extract from the examination of Mr. S. Srinivas Iyengar by the Chairman

Q.—What idea have you about the boycott of British goods?

A.—I am strongly in favour of it. Though Mr. C. Rajagopala Chariar differs from me, I am strongly in favour of boycott of British gods for political purposes. It is as much an experiment as the boycott of schools and I am for trying the experiment and there is a considerable section of opinion in favour of it, I have consulted the merchants in Calcutta.

Q.—It will have a material effect upon trade relations, upon trade investments in England. That will certainly not conduce to creation of harmony. There will be greater bitterness of feeling between the two races?

A.—They won't make such large imports as before. That compensates the greater amount of racial hatred and bitterness. For instance I cannot say that non-co-operation does not produce racial hatred on either side. If you are true non-co-operators there is racial hatred in safe hands. But in the illiterate masses, there will be hatred. We cannot ensure there will be no hatred in all people.

"RACIAL HATRED SAFE IN HIS HANDS"

161. In contrast with the above is the statement of Babu Rajendra Prasad, a follower of the principle of love and freedom from hatred. The following are the questions put to him by Syt.V.J. Patel and his answers :—

Q.—I want to know your opinion about the boycott of British goods. So far as cloth is concerned there can be no question that there should be boycott of foreign cloth in order that the cottage industry might thrive and people take to spinning as well as to looms and be self-supporting in that respect ; but so far as other articles are concerned, wherever we don't get articles in India we can go to America, Japan and other countries. I would like to know, whether you would advise, after an examination of the question by an expert, the boycott of certain specified goods by the country ?

A.—Certain specified goods ?

Q.—Yes, because all articles cannot be boycotted ?

A.—No, I think it would be against the basic spirit of the present movement,

Q.—Is not the whole object of the N. C. O. movement to bring pressure upon the Government to come to settlement with us ?

A. —The object is twofold, to strengthen ourselves, and secondly to put pressure upon the Government.

Q.—Take the question of strengthening ourselves. Take pencils. You are getting these pencils from Germany, Japan, America, etc. I say don't bring them from England but from any other country, how can your first position be affected ?

A.—It is a question of mental attitude.

Q.—But can you kindly explain ?

A.—What I mean is this that we should use goods made in our own country.

Q.—But where we have to go to other countries ?

A.—There the question of strengthening ourselves does not arise at all.

Q.—Now take the second point. Does not the boycott of British goods bring pressure upon the Government ?

A.—It does.

Q.—Then I may take it, where the first point does not arise at all, you have no objection to boycott the British goods in order to bring pressure upon the Government ?

A.—I think it is a question of mental attitude. It is to win our opponents by love and if anything goes against this attitude, we should not adopt it.

Q.—You are not able to put it higher than that ?

A.—If you like I can do.

Q.—If you feel you may do ?

A.—If it is a case of all goods then I am perfectly clear.

Q.—No, it is not the case of all goods, it is only in those cases where we don't get from other countries. If we could get those things from America, Japan and other countries, then why should we go to England ?

A.—I would prefer to be indifferent in the matter.

Q.—But you have already agreed that it would bring pressure ?

A.—Yes, it may.

Q.—And you are indifferent what attitude the Congress may take?

A.—It may affect the basic principle, and our opponents whom we are winning by love.

Q.—So you think that this basic principle has not in any way been affected by the boycott of courts of the satanic Government nor has it been affected by the boycott of schools and colleges ?

A.—That does not affect those.

Q.—So there is no idea of bringing moral pressure to bear upon this Government?

A.—We want moral pressure, but it is not a case of moral pressure.

Q.—Where they would be affected materially, you would not do it?

A.—Where they would be affected materially, I would not do it.

This statement amply justifies the conculsion arrived at by Syt. S. Srinivas Iyengar. Babu Rajendra Prasad makes a non-violent effort to love, but true non-co-operator as he is he ends in proving that "racial hatred is safe in his hands."

GOVERNMENT'S VINDICTIVENESS

162. We see nothing but hate and vindictiveness on the part of the Government. Nameless horrors are being openly committed by its underlings not always without the knowledge of superior officers. There are vindictive arrests, vindictive prosecutions, vindictive sentences, vindictively carried out. Repression and terrorism stalk the land in their naked barbarity. Every means, fair and foul, is being used to oppress the non-co-operator. To deprive the oppressed of a clean weapon of defence at such a moment by preaching the sermon of love may be justified by high spiritual ideals but is poor ethics in political warfare. I enter my strong protest against the introduction into the political programme of the Indian National Congress of religious and moral theories which are not the common basis of all religions in India.

CONGRESS PROGRAMME ONE OF "PROGRESSIVE" NON-CO-OPERATION

163. The other points made by my esteemed colleague may be shortly disposed of. It is evident that he is not prepared to consider any change in the programme in the absence of Mahatmaji. If that be so it is useless waste of time, money and energy to hold any more sessions of the Congress until we have the benefit of Mahatmaji's presence and guidance. The history of the last two Congresses is a history of the changes introduced into the programme which by its very nature calls for periodical revision and alteration to suit the developments. It has been rightly described by Mahatmaji as a programme of "progressive non-co-operation" and it would be paying a poor compliment both to his teachings and his followers to ask the latter not to take one step forward without express orders from him. Besides it must be clearly understood that it is not every non-co-operator who has surrendered his own judgment to Mahatmaji's, great as is the faith of all in his inspiring leadership. Mahatmaji himself has never been known to approach any subject in the preliminary discussions and

consultations, except with a perfectly open mind. It is suggested that those who now support the boycott of British goods have failed to convince Mahatmaji of its propriety, There could be no question of convincing him when they are themselves not convinced even at the present moment as the very nature of the recommendation made clearly shows. It will depend upon the report of the expert committee whether the boycott is at all pacticable. There were a number of boycotts in hand at the beginning and it was obviously unwise to add another, the practicability of which is not quite apparent to this day. The rigour of some of those boycotts is now relaxed and the whole object of the appointment of this committee is to explore new avenues of work to meet the situation which faces us to-day.

BOYCOTT, A DUTY TO THE COUNTRY

164. We have taken care to indicate the sense in which we have used the word "punishment" and as we understand the passage from the *Young India*, quoted at the opening of this section Mahatmaji has also used the word in the same sense. It is difficult to see where the ambiguity lies. The example of the restaurant proprietor would be a very apt one, but for the important omission that the refreshments he offers are unwholesome. British trade in a great measure prospers on the exploitation of India and although other countries might also have availed of our inexhaustible resources they have not had a hand in crippling us and making us entireley unfit to use them. It is impossible to understand how it can be said that the boycott of British goods is being proposed for any reason other than that of fulfilling one's duty to one's country, and how it is any more induced by "sheer hatred" than the boycott of foreign cloth is. The motive behind both boycotts is one and the same, the difference being only in the degree of benefit to be derived from each.

BOYCOTT RECOMMENDATION--A PROPAGANDA IN ITSELF

165. We have made it quite clear that the question of foreign cloth stands on a different footing altogether. If the boycott of any specified goods of British manufacture is recommended by the Congress, that recommendation will carry its own propaganda with it and no special effort will be necessary to carry it out. The very fact of a buyer asking for a knife or a pair of scissors of any manufacture other than British will automatically create a propaganda which will soon begin to be felt in Sheffield and Birmingham. People are only waiting for a Congress mandate. The moment it is given it will become the talk of every home and bazar and not a single worker will be required to enforce it. There is

thus no danger of the work in connection with the boycott of foreign cloth being interfered with.

I am sorry I have to send the above to the press as my own note, as it is impossible to have the opinions of the members from Madras, Bombay and Delhi in time for the issue of the Report to members before the 31st October which I am trying my best to do. Copies are however being sent to Delhi by special messenger and to Madras and Bombay by post and members are being requested to wire their agreement or dissent as the case may be. Their replies will be printed separately and pasted here.

October 24th, 1922. M. N.

(*N. B.*)—Mr. Patel has wired his agreement with the above note.

M. N.

(N. B. 2)—Syt. S. Kasturiranga Iyengar wired from Madras under date 28th October, 1922:—

" I adhere to resolution on boycott of British goods passed by a majority of the Committee at Allahabad."

CHAPTER VIII.

CONCLUSION

DECISION RESTS WITH THE GAYA CONGRESS

166. We give a summary of our recommendations at the end of this chapter. It will be seen that on the main question of Civil Disobedience and all other points but three we are in full concurrence. On the question of the boycott of specified British goods to be recommended by an expert Committee and the question of the exercise of the right of private defence there are the majority and minority views, and in each case the majority consists of 5 members and the minority of one though not the same member. But the most important point on which the Committee is equaly divided is the propriety and expediency of Congressmen entering into the Legislative Councils. The final decision of this rests with the Gaya Congress, but it is meet and proper that a question of this gravity should be fully considered by the All-India Committee and the public at large before it is brought up for discussion at the open session of the Congress. Those of us who have recommended entry into the Councils with the object of putting an end to the present system which stands condemned on all sides consider it to be a practical and desirable measure of a character similar to Civil Disobedience and hold that the time has come to adopt it. Those who entertain the opposite view are equally emphatic in the opinion that entry into the Councils under any circumstances would

be an entirely false and retrograde step to take and would result in a serious setback of the whole movement. We regret that it was impossible to reach unanimity on this important point. We are aware that a sharp difference of opinion on the subject is almost certain to arise among the members of the All-India Committee. This is unfortunate, but the question cannot be shelved for long and the situation has to be faced. Both views will soon be before the country and the one endorsed by the All-India Committee will undoubtedly carry greater weight though the final battle must necessarily be fought in the open Congress. Whatever line of action is eventually taken in this and other matters, Non-co-operators must in any case be prepared to undergo much greater sorrow and suffering than they have so far endured, terrible as it has been. The struggle is prolonged, the end is not in sight. But unless the laws of nature are reversed and the lessons of history belied, Freedom's battle has only one eding whenever it comes and that a glorious victory. Differences must, from time to time, arise about the methods to be adopted and the course to be followed. Such differences are signs of a healthy and vigorous growth and need cause no alarm. Individual views on other matters of principle or practice may vary from time to time but loyalty to the Congress must remain the first and last unalterable article of faith with every true Congressman. We have stood many trials but greater trials still await us. We need all the strength and courage that the country can muster up. The only reliable and unfailing source of strength lies in the constructive work planned out at Bardoli. Our first and foremost duty is to push on with that work and protect it at all cost against attacks both from within and without. At the same time we must defend our national honour and self-respect at any sacrifice, if need be with the best blood of the country. We have steadily kept these two essentials in view and have made no recommendation, whether unanimous or otherwise, which, in the opinion of those making it, has not stood the test of satisfying either the one or the other.

DIFFERENCE OF METHODS NOT OF PRINCIPLES

167. There is and can be no difference of opinion among the various schools of thought in India as to the essential character of the constructive work or the equally essential need for defending our national honour and self-respect. A good deal has been said about fundamental differences of principles but those principles themselves relate only to methods and do not affect the essentials we have referred to. Making every allowance for such differences and eliminating matters in which any real conflict is likely to arise, we think there will be left a substantial residuum of good solid work in which all parties can join without any sacrifice of principle. We are conscious that the irresistible logic of

facts has compelled us to say some hard things about the general attitude of Councillors and Co-operators throughout the country, but we must not be understood to mean that all Councillors and Co-operators are alike. Many of them have undoubtedly tried their best to work, if on lines of co-operation, in the right spirit, and no one is more ready than they to admit that they have failed by reason of the inherent defects of the system. Again we have direct evidence to show that at least one Council has done all that was possible under the circumstances. In fairness to the Behar Council we give below an extract from the evidence of Babu Rajendra Prasad :—

Babu Rajendra Prasad to Pandit Motilal Nehru

Q.—In regard to the Minister I have only to ask this: Is there any complaint against them that in the Councils they have behaved in a manner in which, if they had been non-co-operators they would not have behaved, that is to say, have they done all that non-co-operators would have themselves done within the limitations under which they work? You say: "These men have grown grey in the service of the country"?

A.—I think there is no complaint against them.

Q.—They are called co-operators and have gone into the Councils, but if a non-co-operator had gone into the Council and had worked under the limitation under which these people work, could he have done anything better?

A.—I don't think so.

Q.—In other Provinces there is a complaint that the Ministers and Councillors have not done all that they could have done?

A.—I don't think there is a complaint against the Ministers or against the Councillors generally in this Province, I won't say every member but members of Council generally.

The situation in the country demands that there should be only two parties the Government and the people, but if that is not possible we see no reason why all parties should not meet on a common platform on questions of vital importance to the nation which can admit of no difference of opinion. The constructive programme of the Congress opens out a large and productive field for work by all who have the good of the country at heart. That we have a considerable number of selfless patriots among the Moderates has never been denied by any responsible Non-co-operator. Attempts on either side to convert the other to its own view have so far failed, and there seems to be no likelihood of success in that direction in the near future. But we venture to think that whilst agreeing to differ where difference is unavoidable it is possible to dsicover a oommon basis for joint action if both parties met in the right spirit. A beginning, however small, once made is

bound to lead to very desirable results. In the course of our tour we noticed strong indications of a genuine desire in several parts of the country to work together on the lines we have suggested. As it is the highest duty of a Non-co-operator to co-operate with his own countrymen where possible we trust that those indications will develop into definite proposals at no distant date.

ABOUT GOVERNMENT THE LESS SAID THE BETTER

168. About the Government the less said the better. Never before were such enormities committed in this country in the sacred name of law and justice. The irony of it all is that this phase of Imperialism should have been reserved for a Government presided over by the Ex-Lord Chief Justice of England. Is it possible to conceive that his Lordship is not aware that greater lawyers and jurists than he have found themselves unable to undertake the task upon which he has entered. We take the liberty to remind His Lordship of what Edmund Burke said in reference to the people of the thirteen colonies which subsequently became the nucleus of the present United States of America. He said :—

"The thing seems a great deal too big for my ideas of jurisprudence. It should seem to my way of conceiving such matters that there is a wide difference in reason and policy between the mode of proceeding between the irregular conduct of scattered individuals or even bands of men who disturb order within the State, and the civil dissension which may from time to time on great questions, agitated the several communities which compose a great Empire. It looks to me to be narrow and pedantic, to apply the ordinary ideas of criminal justice to this great public contest. I do not know the method of drawing up an indictment against a whole people."

Relying upon the above passage before the Parnell Commission, Lord Russel said :—

"I want to point out to your Lordships that in truth the attempt is here being made in which your Lordships are asked to assist to do what Edmund Burke declared had never been done, to draw an indictment against a whole nation. I say this for the purpose, not merely of stating what Burke says, but of pointing out the meaning of what he says. What does he mean by saying that you cannot indict a nation? He means that when a movement becomes the movement of a whole people that when there is a great national upheaval, the ordinary notions and rules of judicature borrowed from the Old Bailey and from *Nisi Prius* have no relation to such questions; that you are dealing in a higher region and with a broader issue than any in which the mere ordinary rules of judicature will help you."

Lord Reading in the year of grace 1922 is trying to achieve

what Edmund Burke refused to attempt and Lord Russel declared to be outside the "mere ordinary rules of Judicature". Edmund Burke was dealing with a discontented population of not more than three millions at the time, and Lord Russel with a people who number less than five millions at the present day. Lord Reading is trying to gain the distinction of indicting a nation of three hundred millions under the Criminal law of India. Let His Lordship try. The three hundred millions make no defence and calmly await the result.

Ajmal Khan.
Kasturi Ranga Iyengar.
Rajagopalachari.
M. A. Ansari.
V. J. Patel.
Motilal Nehru.

SUMMARY OF RECOMMENDATIONS

1. Civil Disobedience :—

(*a*) The country is not prepared at present to embark upon general Mass Civil Disobedience, but in view of the fact that a situation may arise in any part of the country demanding an immediate resort to Mass Civil Disobedience of a limited character, *e.g.*, the breaking of a particular law or the non-payment of a particular tax for which the people are ready, we recommend that provincial Committees be authorised to sanction such limited Mass Civil Disobedience on their own responsibility if the conditions laid down by the All-India Congress Committee in that behalf are fulfilled.

(Unanimous.)

(*b*) We recommend the restoration of the resolution No. 2 passed by the All-India Congress Committee at Delhi on the 4th—5th November which gives Provincial Committees all the powers necessary to determine upon a resort to Civil Disobedience of any kind whatever, by cancelling Resolution 1, cl. 1, passed on the 24th—25th February to the extent it conflicts with that resolution; provided that general Mass Civil Disobedience is not permissible.

(Unanimous.)

2. Entry Into Legislative Councils :—

(*A*) The Congress and the Khilafat at their Gaya Sessions should declare that in view of the fact that the working of the Legislative Councils during their first term has, besides proving a great obstacle to the redress of the Khilafat and Punjab wrongs and the speedy attainment of Swarajya, caused great misery and hardship to the people, it is desirable that the following steps should be taken in strict accordance with the principles of non-violent non-co-operation to avoid the recurrence of the evil:—

1. Non-co-operators should contest the election on the issue of the redress of the Punjab and Khilafat wrongs and immediate Swarajya, and make every endeavour to be returned in a majority.

2. If the non-co-operators are returned in a majority large enough to prevent a quorum they should after taking their seats leave the Council Chamber in a body and take no part in the proceedings for the rest of the term. They should attend the Council occasionally only for the purpose of preventing vacancies.

2. If non-co-operators are returned in a majority which is not large enough to prevent a quorum they should oppose every measure of the Government including the budget and only move resolutions for the redress of the aforesaid wrongs and the immediate attainment of Swarajya.

4. If the non-co-operators are returned in a minority they should act as pointed out in No. 2, and thus materially reduce the strength of the Council.

As the new Councils will not assemble till January, 1924, we further propose that the Congress Session of 1923 be held during the first instead of the last week of December and the matter be again brought up for the issue of a final mandate by the Congress in view of the election.

Recommended by

Hakim Ajmal Khan.
Pandit Motilal Nehru.
Syt. V. J. Patel.

(*B*) There should be no change of the Congress programme in respect of the boycott of Councils.

Recommended by

Dr. M. A. Ansari.
Syt. C. Rajagopalachari.
Syt. S. Kasturiranga Iyengar.

3. Local Bodies

We recommend that in order to clear the position it should be declared that it is desirable for Non-co-operators to seek election to Municipalities and District or Local Boards with a view to facilitate the working of the constructive programme, but that no hard and fast rules be at present laid down to regulate or restrict the activities of Non-co-operating members beyond advising them to act in harmony with local or provincial Congress organisations.

(Unanimous.)

4. Boycott of Government Educational Institutions

We recommend a strict adherence to the Bardoli resolution in regard to these by suspending for the present active propaganda calling upon boys to come out of schools and colleges. As required

by that resolution reliance should be placed upon the superiority of National schools for drawing scholars from Government Institutions and not upon picketting or other aggressive propaganda.

(Unanimous.)

5. BOYCOTT OF LAW COURTS BY LITIGANTS AND LAWYERS

Effort should be concentrated on the establishment of panchayats and cultivation of a strong public opinion in their favour. We further recommend that all existing disqualifications imposed on practising lawyers should be removed.

(Unanimous.)

6. ORGANISATION OF LABOUR

Resolution No. 8 passed by the Nagpur Congress should be carried out without further delay.

(Unanimous.)

7. RIGHT OF PRIVATE DEFENCE

(*A*) We recommend that individuals should be given full freedom to exercise the right within the limits defined by law except when carrying on Congress work or on occasions directly arising therefrom subject always to the condition that it is not likely to lead to a general outburst of violence.

Using force in private defence in gross cases, such as insults to religion, outrages on modesty of women or indecent assaults on boys and men, is not prohibited under any circumstances.

(All members except Syt. V. J. Patel.)

(*B*) Full freedom to exercise the right within the limits defined by law should be reserved to non-co-operators subject only to the condition that it is not likely to lead to a general outburst of violence, and to no further conditions.

(Syt. V. J. Patel.)

8. BOYCOTT OF BRITISH GOODS

(*A*) We accept the principle and recommend that the whole question be referred to a committee of experts for a full report to be submitted before the next Congress meets.

(All members except Syt. C. Rajagopalachari.)

(*B*) There is no objection to the collection and examination of facts by experts, but the acceptance of the principle by the All-India Congress Committee would mislead the nation and injure the movement.

(Syt. C. Rajagopalchari.)

APPENDIX I.

KHILAFAT INQUIRY COMMITTEE'S REPORT

The following is the report of the C.D. Enquiry Committee appointed by the Central Committee and of which Maulana Abdul Majid, Molvi Abdur Qadir, Messrs. Moazzam Ali, Tasaduq Ahmad Khan Sherwani,

Nawab Ismail Khan and Mr. Zahoor Ahmad were the members.

All the signatories are unanimous in their recommendations. Only with regard to the entry into the Councils Mr. Zahoor Ahmad records a note of dissent favouring such entry, and Maulana Abdul Majid while concurring with the majority gives a separate note embodying his religious opinion regarding Mr. Zahur's views.

The main recommendations of the Commission are as follows:—

PICKETING

They recommend that the picketing of foreign cloth and liquor shops be resorted to at once.

BOYCOTT OF COURTS

The Commission uphold the boycott of Courts but places the following recommendations:—

(*a*) "In such criminal cases as are connected with politics and present-day movements when launched by the Government with a view to crush the movement and persecute the national workers it is necessary that acting upon the principle of boycott of courts no one should be allowed to participate or enter into defence."

(*b*) "While adhering to the principle of the boycott of courts regarding defence of cases institution and defence of those civil and revenue suits, which could not be compromised inspite of all efforts to settle them through the Panchayets or private mediation and which are liable to inflict great pecuniary losses, should not be censured."

The above recommendation according to the report is based on a highly religious testimony.

The report further recommends :—

(*a*) Organisation of National Service to facilitate lawyers to give up their legal practice.

(*b*) Consolidation of the Panchayats and framing uniform rules for their guidance by a Committee and Ulema to induce people to abide by the decisions of the Panchayats.

The boycott of schools is recommended to be maintained and efforts be made to organise the new and improve the old ones.

BOYCOTT OF COUNCILS

Regarding the boycott of Councils the report says :—

"This item of the boycott of Councils in the non-co-operation programme has assumed considerable importance since some time past. The attitude of the moderates and the loyalists towards the recent policy of repression, the successful attempts of the Government for the infringement of rights and the use of all illegal methods in the name of law and order and so-called constitution have perturbed certain individuals in some parts of the country and gradual reaction from their original design is apparent. The Maharashtra party for example, has openly declared it. But so far as the

Mussalmans are concerned they seem to persist on boycott and as to working of the Councils the evidence is practically nil. The major portion of the reasoning of those favouring boycott is :—

(1) "The most important objection against the entry into Councils is the Fatwa, which is taken to be quite sufficient for the rejection of any argument to the contrary.

(2) "The second reason is the power of veto which is being obdurately used inspite of the fact that the present Councils are trying their best to co-operate with the Government. With the increase of strength and freedom of opinion in the Councils the power will be more frequently brought into action. Thus it is evident that those Councils will become an instrument for waste of time and a house of meaningless discussions.

(3) "The entry into councils will be a serious blow to non-co-operation movement and it is evident that all the reasons and arguments which are put forward in support of the Councils could be more or less brought forward in the case of other items of the non-co-operation programme as well.

(4) " The public will consider it to be the abandonment of the non-co-operation programme which is liable to lead to bad results.

(5) "Effective obstruction cannot possibly be created and hence this entry into Council will be useless.

(6) "In view of the present circumstances the Oath of Allegiance is also considered to be a hindrance to the entry into the Councils."

The arguments of the anti-boycott party are the following :—

(1) "Obstruction can be effectively put up and all powers of the Government except those of veto and ordinance can be taken away. And the frequent use of these two weapons by them will be a great help to our political propaganda and the country would thus be prepared for a definite political action. This is the best way to defeat the present system of Government.

(2) "The Bureaucracy has a strong weapon in the form of constitution and the Government will be forced to go against the constitution itself if she resorts to those oppressions that are to-day being perpetrated in the name of constitution, thus the truth about the present system and the intentions of the rulers will come to light in and outside India and no ground shall be left for any delusion.

(3) "The general opinion of the country will be plainly and clearly made known to the whole world.

(4) "At least this would pu tan end to the measures of repression through the Council.

(5) "There will be no way left for the minority.

(6) "Participation in electioneering campaign will be a most effective means of propaganda.

"This is the opinion of those who favour responsive co-operation. But the Mohamedans for the time being are not prepared to co-operate in any way whatsoever. A second scheme has, also, been brought forward to the effect that the elections be contested and on being elected the Government be urged to accede to the Triple Demands. In case of refusal, the elected members should abstain for attending the Councils thus necessitating re-election which should be similarly continued to be contested throughout. Thus the present system will be paralysed and it will be propaganda in itself. Besides this the "undesirable" Indians shall be kept out of the Councils. For the success of this scheme it is of absolute importance that non-co-operators be returned to the Councils in an overwhelming majority. As far as evidence goes there is sufficient reason to believe in the success of this scheme in many provinces.

Without discussing the merits and demerits of the proposals of these three schools of thought we have come to the conclusion that as far as the question of boycott is concerned, it has fortunately been made clear by Mr. Lloyd George in his recent speech. There is no ground for doubt now. The issue so far was ambiguous but has now been made clear by this speech. At present any action which deviates us from our present programme is likely to create dissensions and divide our united strength. Our opinion is that this Council controversy is premature.

So long as our leaders and best workers of the country are in jail, it is derogatory to our sense of respect and honour even to discuss such things. Even from practical point of view construction or destruction of a political system requires that the spirit of self-sacrifice and power of action be first infused among the people. Therefore, our whole strength should be concentrated towards the achievements of this end. It will be dangerous to divert public attention to other channels. There is ample time in future to discuss the propriety of contesting elections and we strongly suggest that the question be postponed for the present otherwise evil results are likely to ensue.

NON-VIOLENCE

The commissioners are of opinion that the country has bravely withstood official repressions without any idea of retaliation. But in view of the fact that the Government on the one side is bent upon resorting to violence and high-handedness, that Indian women and the masses on the other hand consider that no right of self-defence in any form is permitted in any case whatsoever. Therefore the commissioners deem it their duty to declare the principle of non-violence and recommend that :—" Non-violence is obligatory in all cases in which one is apt to be put to hardships and troubles for his services for the Khilafat when discharging his own duties or

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in any action taken against him on account of his connections with the movement but in cases which are quite distinct from the above duties and incidents, every individual has a natural and necessary right of self-defence and self-preservation.

CIVIL DISOBEDIENCE

Before discussing Civil Disobedience it is necessary to state that no Mussalman is bound to obey any law which is either opposed to or clashes with the commandments of God or the precepts of Holy Prophet.

The evidence adduced before us in this behalf discloses the general situation of the country to the effect that the strongest possible measures of repression have been brought into action all over the country by Government officers. Taking this into consideration, a major portion of the country favours early adoption of individual Civil Disobedience. Since the word Civil Disobedience has been misunderstood, it has been misconstrued and misapplied.

Of the orders and laws under which arrests and imprisonments are being made now-a-days. Some are such as have in no way even with greatest stretch, any bearing whatsoever upon our present efforts and activities. Some are of a nature which we as non-violent non-co-operators are incapable of violating, and our being charged under these is a direct slander. Every person who has the slightest knowledge of law can testify to the misapplication of Sections 144 and 107, C. P. C. Converting a fellow being to one's own political ideas by preachings and admonitions cannot legally be termed coercion, nor can mere propaganda be classed as ogence for breach of peace.

Section 124-A has been given such a wide scope that no person can escape its clutches even if he utters a single word against the present Government. Section 153-A has been wantonly brought into use in contravention of its real significance. Mutual differences are misrepresented and non-co-operators are being convicted under false charges whereas after our clear statements and unambiguous declarations it must have been known to Government as to how groundless such charges were and how much opposed were they to our principles and actions. The right of association is a legal and very important natural right of individuals but even this has been decided to be taken away from us under section 17, Criminal Law Amendment Act. Similar is the case with the Police and the Prevention of Seditious Meetings Acts, consequently the current misapplication and misuse of law leave no room for their being tolerated and obeyed by any person and of course their non compliance could not be termed as Civil Disobedience.

After considering all these matters we are of opinion that:—

(1) Under the present circumstances it would be premature to resort to mass Civil Disobedience.

(2) Every order which comes in the way of constructive programme deserves to be disobeyed and every individual has a right to disobey such order and where such order is enforced against a district or a part of it the District Khilafat Committee be authorised to transgress and disobey that order.

BOYCOTT OF BRITISH GOODS

The importance of the step requires that before its adoption a committee of experts and economists be appointed to report its findings to the Central Khilafat Committee.

FOREIGN PROPAGANDA

(1) To promote and strengthen friendship with Islamic countries by means of papers, pamphlets and deputations to Islamic countries and

(2) To conduct propaganda by means of papers, pamphlets in Europe and America and on special occasions when absolutely necessary to send deputations.

APPENDIX II.

DESHABANDHU C. R. DAS

Sjt. C. R. Das issued the following statement to the press of his views on the present situation:—

" In my statement made to the Bengal Provincial Congress Committee on the 22nd of August shortly after my release I said among other things that in my opinion a change in the details of the Congress programme was necessary, but that I did not think it advisable to, express my opinions on the whole situation before the Civil Disobedience Enquiry Committee had made its report. Now that the Committee has made its report I am free and I consider it to be my duty to place before the country a programme of work which the Indian National Congress should follow. At the very outset. I desire to make it perfectly clear that there is no reason for entertaining any feelings of doubt or despair. The work which the Congress put in during the last year and a half is, inspite of its defects a good many defects, a marvel in history. It has succeeded in generating an ardent desire for Swaraj throughout the length and breadth of this vast country and it has proved beyond any doubt that the method of non-violent non-co-operation is the only method which we must follow to secure a new system of Government. We have to consider how best to apply that method to the existing circumstances of the country.

RIGHTS OF PEOPLE UNDER "SWARAJ"

In my opinion at Gaya the Indian National Congress should commence its work for the year by a clearer declaration of the rights of the different communities in India under the Swaraj Government. So far as the Hindus and Musulmans are concerned there should be a clear and emphatic confirmation of what is known as the "Lucknow Compact." As regards the other communities such as Sikhs, Christians and Parsis the Hindus and the Mahomedans, who constitute the bulk of the people we should be prepared to give them their just and proper share in the Swaraj Administration. I propose that the Congress should bring about a real agreement between all these communities by which the rights of every minority should be clearly recognised in order to remove all doubts which may arise and all apprehensions which probably exist. I include amongst Christians not only pure Indians but also Anglo-Indians and other people who have chosen to make India their home.

CONGRESS AGENCIES IN EUROPE AND AMERICA

I further think that the policy of exclusiveness which we have been following during the last two years should now be abandoned. There is in every country a number of people who are selfless followers of liberty and who desire to see every country free. We cannot afford to lose their sympathy and co-operation. There should be established Congress agencies in America and in every European country. We must keep ourselves in touch with world movements and in constant communication with the lovers of freedom all over the world.

FEDERATION OF ASIATIC PEOPLES

Even more important than this is the paticipation of India in the great Asiatic federation which I see is in the course of formation. I have hardly any doubt that the pan-Islamic movement, which was started on a somewhat narrow basis, has given way or is about to give way to the great federation of Asiatic peoples. It is the union of the oppressed nationalities of Asia. Is India to remain outside this union ? I acknowledge that all freedom must be won by ourselves but such a bond of friendship and love, of sympathy and co-operation between India and the rest of Asia and all the liberty-loving people of the world is destined to bring about a world peace. The world peace in my mind means the freedom of every nationality and I go further and say that no nation on the face of the earth can be really free when other nations are in bondage. The policy which we have hitherto pursued was absolutely necessary for the concentration of the work we took upon ourselves to perform, and I agreed with that policy whole-

heartedly. To-day that very work demands a broader sympathy and a wide outlook.

CHANGE IN CONGRESS PROGRAMME

Coming now to the question as to whether there should be any change in the existing programme of the Congress, I desire to emphasise two matters about which there can hardly be any doubt. In the first place I must point out that the whole controversy of "change or no change" proceeds on a somewhat erroneous assumption. The question is not so much as to whether there should be a change in the programme of our work, but the real question is whether it is not necessary now to change the direction of our activity in certain respects for the success of the very movement which we hold so dear. Let me illustrate what I mean by a reference to the Bardoli resolution. In the matter of the boycott of schools and colleges the Bardoli resolution alters the direction of our activity but does not in any way abandon the boycott. During the Swaraj year the idea was to bring students out of Government schools and colleges, and if national schools were started they were regarded as a concession to the weakness of those students. The idea was, to quote again from the words of Mahatma Gandhi, "Political" and not "Educational." Under the Bardoli resolution however it is the establishment of schools and colleges which must be the main activity of national education. The idea is "Educational" and if it still be the desire of the Congress to bring students out of Government schools and colleges it is by offering them educational advantages. Here the boycott of schools and colleges, is still upheld but the direction of our activity is changed. In fact such changes must occur in every revolution violent or non-violent, as it is only by such changes that the ideal is truly served. In the next place we must keep in view the fact that according to the unanimous opinion of all the members of the Enquiry Committee, Civil Disobedience on a large scale is at present out of the question, because the people are not prepared for it.

ENTRY INTO COUNCILS

I am of opinion that the question of the boycott of the Council which is agitating the country so much must be considered and decided in the light of the circumstances I have just mentioned. I am not against the boycott of councils. I am firmly of opinion that the system of the Reformed Councils with the "steel frame" of the Indian Civil Service built over by a diarchy of deadlocks and departments is absolutely unsuited to the nature and genius of the Indian nation. It is an attempt of the British Parliament to force a foreign system upon the Indian people. India has unhesitatingly refused to recognise this foreign system as a real foundation for Swaraj. I am always prepared to sacrifice much for a real basis of

Swaraj, nor do I attach any importance to the question whether the attainment of full and complete independence will be a matter of seven years or ten years or twenty years. A few years is nothing in the life history of a nation. But India cannot accept a system such as this as the foundation of our Swaraj. The country has therefore made up its mind either to mend or to end these Reformed Councils. Hitherto we have been boycotting the Councils from outside. We have succeeded in doing much. The prestige of the Councils is diminished, and the country knows that the people who adorn the Council Chambers are not the true representatives of the people. But although we have succeeded in doing much, these councils are still there. It should be the duty of the Congress to boycott the Council more effectively from within as also from without.

The Reformed Councils are really a mask which the bureaucracy has put on. I conceive it to be our clear duty to tear this mask from off their face. To end these councils is the only effective boycott. A question has been asked as to whether it is possible. I think it is possible if non-co-operators get the majority, and I believe that having regard to the present circumstances of the country they are likely to get the majority. I am aware of the difficulties of the franchise. I am aware of the rules which prevent many of us from entering the councils. But making every allowances for all these difficulties I believe that we shall be in the majority. In any case we should adopt the recommendation of Hakim Ajmal Khan, Pandit Motilal Nehru and Mr. Patel in postponing the ultimate decision till the Congress of 1923, but in the meantime standing for election. If we stand for election in the beginning of 1923 the results will be declared before the Congress of 1923 and then we can proceed on facts and not on assumptions. The question is also, supposing we are in a majority, what we are to do? We should begin our operations by a formal demand of the particular way in which we desire to mend the councils. If our demands are accepted we have obtained a real foundation of Swaraj. If our demand is not recognised we must non-co-operate with the bureaucracy by obstructing everything every work of the council. We must disallow the entire budget. We must move the adjournment of the House on every possible occasion. In fact we must so proceed that the Council will refuse to do any work unless and until our demands are satisfied. I am aware of the large powers of veto which the Governors can exercise under the Reforms Act. Let them govern by veto till the time must come when they must either yield to our demands or withdraw the Reforms Act. In either case it is a distinct triumph for the nation and either course must bring us nearer to the realisation of our ideal. It has also been suggested

that the bureaucracy will never allow the non-co-operators to enter the councils. They will alter the rules to prevent such entry. I cannot conceive of anything better calculated to strengthen the cause of non-co-operation than this. If any such rule is framed I should welcome it and again change the direction of our activities. The infant nationality of India requires these constant struggles for its growth and development. It follows from the course I recommend that it would be the duty of the Indian National Congress to frame a clear scheme of what we mean by a system of Government which is a real foundation of Swaraj. Hitherto we have not defined any such system of Government. We have not done so advisedly as it was on the psychological aspect of Swaraj that we concentrated our attention. The nation to-day is burning with a desire for the attainment of Swaraj. It is the duty of the Congress therefore to place before the country, a clear sketch of the system of Government which we demand. "Swaraj" I know is indefinable and it is not to be confused with a particular system of Government. Yet the national mind must express itself and although the full outward expression of Swaraj covers and must necessarily cover the whole life history of a nation the formulation of such a demand is necessary to-day.

BOYCOTT OF SCHOOLS AND COLLEGES

With regard to the question of the boycott of schools and colleges, I am still of opinion that such a boycott should be carried on as effectively and in the same way as before. I however agree with the recommendations of the Enquiry Committee that proper schools and colleges should also be started.

BOYCOTT OF COURTS

With regard to the question of the boycott of lawyers and legal institutions. I accept the main recommendations of the Committee. Many questions have been raised whether the right of defence should be allowed or not and in what cases and for what purposes. I have never been in love with the formal rules, and I think it is impossible to frame rules which will cover all the circumstances which arise in particular cases. All that I desire to insist is the keeping in view of the principle of the boycott of courts.

HINDU-MOSLEM UNITY

With regard to the questions of the Hindu-Moslem unity, untouchability, and such matters, I agree with the recommendations of the Enquiry Committee. I desire to point out however that true unity of all sections of the Indian nation can only be based on a proper co-operation and the recognition by each section of the rights of the others. We will do little good to the section known as untouchables, if we approach them in a spirit of superiority.

We must engage them in the work before us and we must work with them side by side and shoulder to shoulder.

USE OF "KHADDAR"

I now come to the question of Khaddar which I regard as one of the most important questions before us. On this point I quote from my statement made to the Bengal Provincial Congress Committee on the 22nd of August. I am opposed to the manufacture of Khaddi on a commercial basis. Our ideal is to make the people of this country self-reliant and self-contained. This work is difficult but essential and should be carried on with all our strength. I would much rather that a few families became self-contained than factories be started on a large scale. Such factories represent a short-sighted policy and though no doubt they would satisfy the present need they must inevitably create an evil which it would be difficult to eradicate. It is often stated that Khaddar alone will bring us Swaraj. I ask my countrymen to consider in what way it is possible for Khaddar to lead us to Swaraj. It is in one sense only that the statement may be said to be true. We must regard Khaddar as the symbol of Swaraj. But what would that symbol signify ? To my mind such a symbol worship requires the spreading out of all non-co-operation activities in every possible direction. It is only thus that the speedy attainment of Swaraj is possible. I am further of opinion that the Congress should take up the work of the organisation of the labourers and peasants more effectively than it had hitherto been done. In conclusion, I ask all sections of our countrymen to follow the ideal of Swaraj and the method of non-violent non-co-operation, to stop all rambling and fuitless disputes and discussions, to approach the cricumstances with a broad mind and without indulging in doctrinaire theories, to make an united effort to reach the goal. To-day I repeat the message of hope with which we started. Despair is not for us. Petulance and pride, anger and annoyance are not for those who must sacrifice themselves for Swaraj. The life of the nation manifests itself in many ways and in many directions. We must embrace each and every one of these and march on with the banner of Swaraj and non-violent non-co-operation in our hands.

BABU HAR DAYAL NAG

The following is the statement of Babu Har Dayal Nag on the present situation :—

It is certain that the non-co-operation movement is sufficiently alive, and is not to be taken as dead. There is no room for mistake in the matter. Evidence is not wanting to prove that it is progressing, though slowly. Certainly it is nothing in itself. It is but a means to an end and that end is Swaraj. Now the question is:—Is its progress sufficiently wide, comprehensive and rapid, so as to

bring Swaraj within a measurable distance of time? I am not much in favour of any arbitrary time limit, but our desire for Swaraj cannot live long without some idea of its fulfilment. Our determination for Swaraj, if there is any, connotes some idea of time limit. Attainment of Swaraj cannot be deferred indefinitely. Repression is doing all it can to kill non-co-operation. To wait till repression exhausts itself is to give human endurance too severe a trial. It is true that repression is bound to be defeated in the long run. But we must exert ourselves and live to see that result. We have succeeded in changing the creed of the Congress so as to make it suitable to the time, but the Congress still belongs to the bourgeoisie and its guiding principle is bourgeois nationalism. Although franchise is extended to every Indian of certain age—male or female—who can pay four annas a year, the sphere of action of the Congress is practically limited to upper classes. Clauses VI and VII of resolution I passed at Bardoli on the 11th and 12th February 1922 by the Working Committee and confirmed at Delhi by the All-India Congress Committee on the 24th and 25th February 1922, run thus:—

(6) "Complaints having been brought to the notice of the Working Committee that the ryots are not paying rents to the Zemindars, the Working Committee advises Congress Workers and organisations to inform the ryots that such withholding of rents is contrary to the resolutions of the Congress and that it is injurious to the best interests of the country."

(7) "The Working Committee assures the Zemindars that the Congress movement is in no way intended to attack their legal rights and that even where the ryots have grievances the Committee's desire is that redress should be sought by mutual consultation, and by the usual recourse to arbitration."

Do not these two clauses smell of partisan spirit and of class animosity? Those complaints were summarily decided in favour of the Zemindars without even hearing the tenants. Tenants are asked to pay rents to the Zemindars, but for the grievances of tenants against Zemindars, tenants are left at the mercy of the Zemindars. Good feeling and co-operation are hardly possible where tenants have grievances against Zemindars.

In many cases Zemindars are not even accessible to tenants. It is well-known that in many cases the tenants are oppressed by the Zemindars and the present law of the Bureaucracy favours such oppression. The tenants are poor, weak and oppressed, yet the Congress has not a word to say in their favour and support practically the Zemindars who have not accepted the creed of the Congress. The masses are willing to non-co-operate with the Bureaucracy. There is absolutely no reason why they should not be permitted to do so. Non-payment of taxes is virtually no part of

Civil Disobedience, far less of aggressive Civi Disobedience. It is non-co-operation. pure and simple. It is a passive attitude involving no moral turpitude or breach of any moral obligation. If the masses have to non-co-operate with the Bureaucracy the non-payment of taxes is the best way, if not the only way. It is a puzzle to the masses, that the Congress, in a manner asks them to pay taxes to the Bureaucracy who imprisoned Mahatma Gandhi. I do believe that the non-payment of taxes is the only means by which Swaraj may be attained. I have been advocating that non-payment of taxes as the only means of paralyzing the Bureaucracy for the last16 years. Considering the imminent economic collapse of the masses it is not a day too early to permit them to non-co-operate with the Bureaucracy by resorting to non-payment of taxes. If non-co-operation is to be resorted to by the masses it cannot be better done than by non-payment of taxes which are now misused for their repression.

Labour organisations and unorganised labour people are not practically within the ambit of the Congress. Labour men—organised or unorganised—may become members of the Congress, but their grievances against the capitalists are considered foreign to its purposes. The labour-strikes are not recognised by it. Even the A. B. Railway strike which was originally in sympathy for the oppressed coolies of the Assam Tea Gardens failed to get its full appreciation and support. To make the Congress popular it must be divested of its existing bourgeoise character and be placed on proletariat basis. It must be remembered that sometimes in serving universal interests some class interests are bound to suffer. But non-payment of taxes by all has no element in it to conflict with any individual or class interest unless some individual or class perversity makes it to do so.

BOYCOTT OF COUNCILS

It appears that some members of the Congress are in favour of entering the Councils. At the outset I feel inclined to tell them that ours is a purity movement and as such it is above diplomacy. To enter Councils with the object of making it a failure is not only diplomacy, but is also diplomatic duplicity which every non-co-operator should disdain. It cannot further the cause of non-co-operation. I do not know whether there is any chance of wrecking the so-called Reforms by such unworthy means, but the country, as far as I can understand, will consider it as moral delinquency and refuse to support it. Moderates will try their best with the help of the Bureaucracy to capture as many seats as they can. For the non-co-operators to capture majority of seats in the Council is sheer impossibility. There is no possibility of success. Failure is almost certain and the result will be disastrous. We will not only fail to wreck

the sham Council but the purity of our movement will be irretrievably lost. It is broadly hinted that the brain of the country is in favour of entering the Council. I understand certain non-co-operator lawyers who resumed practice for want of staying power within the inner circle of the Congress are claiming to represent the brain of the country. It is to be remembered that for the attainment of Swaraj lawyers as a class must prepare themselves for extinction. That being so it is not possible to concede that a lawyer who could not but resume practice on selfish ground represents the brain of the country, I concede that lawyer Mr. Lloyd George represents the brain of the world in the field of politics. I also concede that the late Sir Rash Behari Ghosh represented the brain of India, if not of the world in the forensic field. But I do not see my way to accept the claim of any practising lawyer to represent the brain of India in a spiritual struggle for Independence like ours. It is a bloodless war of independence. Non-violent non-co-operation is our only weapon and self-abandonment, self-denial and self-destruction are our resources. No one can claim to represent the brain of the country in a spiritual fight like this unless he is thoroughly ready for self-destruction. We cannot adopt the Sinnfein tactics. Sinnfeinism involves violence. As a matter of fact those who advocate adoption of Sinnfein tactics in capturing the seats and then refusing to take oath of allegiance, have no faith in non-violent non-co-operation. This will not only be inconsistent with the principle of non-violent non-co-operation but it will serve no useful purpose. Responsive co-operation is no part of non-co-operation, far less non-violent non-co-operation. To enter the Councils in pursuance of the principle of responsive co-operation is to abandon the Congress principle of non-violent non-co-operation. Advocates of "responsive co-operation" have no faith in non-co-operation and are of opinion that non-co-operation cannot expect to do any good work by entering the Councils.

BOYCOTT OF COURTS

With the resumption of practice by some non-co-operating lawyers a new idea of relaxing the boycott of courts by lawyers has been put forward before the public. In the course of my recent tour as the President of B. P. C. C. through certain parts of Bengal one day I found myself among some lawyers practising in Criminal Courts surrounded by some mofusil litigants. Naturally there was some talk about litigation. I understood that there was practically no boycott of courts by the lawyers, but there was some decrease in litigation on account of economic distress of the people. When I was coming away some mofusil litigants told me in private that whenever any occasion for litigation arose among them they

got encouragement and nothing but encouragement from the lawyers. It is preposterous to expect practising lawyers to discourage litigation. If any lawyer is prepared for self-destruction in order to bring about the salvation of the country his first and foremost duty is to leave the courts. It is ridiculous for a lawyer to keep the flag of freedom flying with his left hand and in pursuance of slavish profession turn the pages of his briefs with his right hand. Such incongruity in human conduct may not be altogether novel, but persons accustomed to such a course of life ought not to occupy any responsible position in our battle for freedom. Nothing is further from my mind than any intolerant attitude towards the practising lawyers. Some practising lawyers are fully conscious that complete boycott of courts must precede inauguration of Swaraj and complete boycott of Courts means total annihilation of lawyers as a class, and with this consciousness they are extending their helping hand towards our fight for freedom. Bulk of the practising lawyers are sympathetic although their political consciousness is dim and cloudy. A small number, without any political consciousness, is indifferent. The number of those lawyers who are on selfish ground opposed to our movement is infinitesimal. In short the lawyers, as a class, although not actively engaged in the work of self-sacrifice, are certainly non-resistant. If instead of making full use of this non-resistance in further lightening the boycott of courts we so modify our Congress programme as to relax it to certain extent, our Swaraj movement cannot but be of the masses prejudicially affected. Economic distress is also favouring the boycott of courts. Running of our arbitration courts on western lines was a great mistake. It is impossible to decrease litigation by making it cheap. Litigious spirit of the people must be subdued by vigorous propaganda. The principal object of the Village-Panchayat must be to eradicate the spirit of litigation from society and settle unavoidable litigation by arbitration. As soon as the popular hankering for litigation is brought under control, boycott of courts will be an accomplished fact.

BOYCOTT OF SCHOOLS AND COLLEGES

In my opinion the boycott of schools and colleges met with greater success than any other kind of boycott. A very large number of students left colleges and schools. A considerable number rejoined the institutions they left, partly because the university examination was made very easy and partly because of the guardians' slave mentality putting pressure upon them. Inspite of this state of things a large number of students is still out. The environment does not permit them to appreciate the saying that, education may wait but Swaraj cannot. The result is – they are still wavering and doing nothing for want of proper guidance. They are

not making sufficient response to the call of the motherland. It must be remembered that it is not possible to successfully carry on our struggle for freedom without the help of the students. Schools and Colleges must be emptied and our student forces must be mobilized. India may go without education for some years, but India's freedom cannot be delayed for a day. In these days of self-determination every citizen, male or female not below the age of eighteen, is destined to throw himself or herself into the struggle for freedom. Country is already inundated with slave mentality and that is the first difficulty our movement for freedom has to encounter. The existing Schools and Colleges are simply adding to that difficulty. Our first duty is to free the country from slave mentality and that cannot be better begun than by stopping further production in those institutions.

BOYCOTT OF FOREIGN GOODS

Inspite of picketting the country is flooded with foreign goods. Fine imported cloths are available in all parts of the country. Our masses have not yet taken to charka. Although their borrowing capacity is almost exhausted and in some cases exceeded and their economic collapse is imminent, still they are borrowing for the purpose of purchasing easily obtainable fine foreign cloth. The present cry for cotton cultivation, charka spinning and handweaving, which they have clean forgotten can hardly attract their attention, though they cannot but believe that their salvation lies in them and them only, simply because they are enchanted by the sight of the fine imported cloths in the market. Organized efforts should be made to close our markets against all foreign goods.

EXTENSION OF BOYCOTT IN ALL POSSIBLE DIRECTONS

War is war, be it bloodless or bloody, be it spiritual or with deadly weapons. Ours is a spiritual war and non-violent non-co-operation is our only weapon, but still it is a war for all intents and purposes. It is capable of being extended in all directions. In my opinion boycott is only another name for non-co-operation. We are badly in need of Swaraj and non-co-operation being our only means we are called upon to non-co-operate with our opponent in all possible ways. Remembering that Mahatma Gandhi and others are in jail, we should not hesitate to mobilize all our resources and extend our boycott in all possible directions, provided always that our activities do not involve hatred or violence or both. I never suggest any boycott against those who honestly believe in co-operation as the means of obtaining Swaraj, of whatever kind it may be. Honest difference of opinion should always be respected. But the treacherous and the dishonest should not escape boycott. Malicious and dishonourable conduct must be punished. There is nothing against honest co-operation. But should we pass unnoticed forgery,

perjury and treachery of our countrymen against our purity movement ? We are prepared to bear calmly all sorts of repression of the Bureaucracy, but that is no reason why we should not boycott or non-co-operate with those of our countrymen who are found guilty of treacherous or dishonourable conduct towards us.. We ought not to be qu.et regardless of the secret agency employed against us. It is not possible here to discuss in detail all kinds of boycott, civil disobedience and passive resistance. But whatever difference there may be in their technical interpretation they are substantially the same as non-co-operation. So, everyone ready to non-co-operate with the Bureaucracy may be called upon to use boycott or offer civil disobedience or passive resistance in all possible ways. But for the present to draw the masses and students into this struggle something tangible should be done. It is not possible to draw the masses unless non-payment of taxes be resorted to and boycott be extended to certain extent. We cannot expect the students to rejoin us until a fresh and distinct advance is made.

CONCLUSION

Capital may have its good uses, but it has no right to deprive the poor of their livelihood by destroying the cottage industries. Indian poverty is mainly due to the fact that the Indian masses have been deprived of the home industry of making their own cloth. Being deprived of the cottage industries the masses have very little to sell. They are now poverty-stricken, because instead of producing their own cloth they have to buy it. They have to buy not only cloth but all other necessaries of life, because all their cottage industries have been sacrificed at the altar of the mill-industries. The masses have much more to buy than to sell. The result is they are now the poorest people in the world. They have been purchasing the necessaries of life by borrowing money from the moneylenders. Some of them have been deprived of the small properties they had, others have no further credit to borrow. Economic collapse of the Indian masses is imminent. In short mill-industries of the world have rendered millions of Indians home-less, foodless and clothless. If the masses are to be saved mill-industries must be replaced by cottage-industries. Revival of the cottage industries is the only means by which employment can be given to the now unemployed mass labour. There is no other way of utilizing it. Masses have suffered much on account of mill-industries and they refuse to suffer more. It is very difficult to conceive the outlines even, of the Swaraj that will be established in India in due course, but it is almost certain that it will be founded upon the plebiscite of the country. The country will never accept Indian Bureaucracy in place of Foreign Bureaucracy. A form of Government that will favour mill-industries to the detriment of mass

interests is simply unthinkable. Self-determination places only one ideal before the world for the salvation of the poor and that is that every village should be self-contained and every village should produce its own necessaries. No form of Swaraj can countenance exploitation of the masses by mill-industries with the help of free trade. "Back to the village" should be the slogan of the reformer who means real reform. We are badly in need of Swaraj for saving the masses from the imminent economic death. For a disarmed people like ourselves non-co-operation is the only means to attain that end.

When the foundation of Swaraj was about to be laid down at Bardoli by our generalissimo Mahatma Gandhi the unfortunte event at Chauri Chaura made him to order a retreat. At that time the battle was raging very fiercely, but the retreat was very orderly. Bardoli resolutions were loyally accepted by the country. A calm followed and during that calmness the generalissimo was quietly arrested and imprisoned. Sufficient time has elasped since the Chauri Chaura event and in my opinion time has now arrived for a fresh advance. This war has been forced upon us. If we refuse to give battle even now and retreat further and further it will be tantamount to ignominious defeat. Abandonment of the principle of non-violent non-co-operation is simply inconceivable to men of my way of thinking. Any change in our programme so as to relax the triple boycott, *i.e.*, boycott of Councils, Courts and Educational Institutions seems to us to be a retrograde step unsuitable for the present time.

SJT. G. DESHPANDE

Sjt. Gangadhar Rao Deshpande, President, Karnatak Provincial Congress Committee, wrote to the press as follows:—

To me, the recommendation in favour of Council entry by the three trusted leaders of the C. D. Committee, was a painful surprise. I must say, it is based on misleading of the situation and misunderstanding of the psychology of the masses. Being in close active touch with the non-co-operation propaganda and the progress of constructive work amongst the masses, I can confidently say that there is neither stagnation in the country nor danger of reaction. The sympathy of the masses for the movement is as strong as ever. Only the best workers having gone to gaol, there has been a temporary lull in the vocal expression and paucity of workers here and there. It is, however, a hopeful sign that those that have been in gaol, are coming out with a greater vigour and enhanced prestige while new workers are slowly coming out to the front.

UNCONVINCED OF EFFICACY OF PROPOSAL

After carefully reading the Report and the Statement of Deshabandhu Das, I have remained unconvinced of the efficacy of

and advise activities absolutely irreconcilable with such principles. The advice to enter the Councils is a triumph for those gentlemen who were in its favour at the Calcutta Special Sessions of the Congress, and who had thus far worked the Congress programme more as a matter of expediency than of faith. My friends in Gujarat and I deny that the C. D. Committee was in any way authorised to pronounce on the question of entry into the Councils. All that our great leader Deshbandhu Das says in justification of Hakim Saheb, Pandit Motilal and our very astute friend Vithalbhai Patel's taking the bit between their teeth and gallopping through the fence of N. C. O., is, in the opinion of the majority in Gujarat, merely camouflage. These gentlemen were not entitled to break the essential principles involved in N. C. O., just because they could find no other way to keep up, as they imagined, the flagging spirit of the people. It is their spirit that had flagged and not that of the solid mass that is behind the movement. On this point some of us will have a great deal to say at the next Congress.

The Deshabandhu would, after getting into the Council, ask for an amendment of the Act constituting the Councils. Is not this again presenting the beggar's bowl for some scrapps from the victuals possessed by the Government whose institutions you are to eschew, and therefore a breach of the second principle involved in N. C. O.?

Not only do the entry into Councils and asking for amendment of the constitution involve a breach of the fundamental principles of N. C. O., but to expect the achievement of the object for which you have first to smash N. C. O. itself, *i.e.*, the wrecking of the administrative machinery fashioned to support the present bureaucratic system, is simply futile. Your wish to enter the "Steel Frame" where the poor Moderates who desired to work for their country's cause, have already been crushed into pulp, and hope to achieve your ends. Well, do so! But do not attempt to drag the Congress at your heels too! The Congress is big enough to hold within its fold even men hypnotized by the suggestion of the great possibilities of what the Deshabandhu calls "Non-Co-operation from within the Councils." Let such men "gang their own way."

BABU RAJENDRA PRASAD

Babu Rajendra Prasad, Member, Working Committee of the Indian National Congress and Editor-in-Chief of the "Desh", in the course of a signed leading article in his weekly on the situation created by the publication of the Civil Disobedience Committee's report, after summarising the issues of the two reports, proceeds to say:—

It is a matter for regret that there is a difference of opinion in the Committee. What the country wanted was that thay would show a way which was acceptable to all, and which all could easily

follow, but it is clear that there is a difference of opinion not only among the members of the Committee but in the whole country. An unanimity is difficult if not impossible. My own opinion can be gathered from the report itself, because both parties have quoted from it, one in support of its views, and the other to criticise it.

NO INTOLERANCE

I want to say only that in considering this matter or any matter which will come up for discussion at the next meeting of the All-India Congress Committee or at the Congress itself, no one should show intolerance. It is not a matter for personal pique or difference. Both sides are great well-wishers and self-sacrificing servants of the country. Their views should be considered without prejudice, and in doing so the good of the country should be the only criterion. It shou'd not enter anybody's mind that because he has already expressed one opinion, the other side opinion need not be considered by him. The best example of this has been shown by two of the leaders who were members of the Committee and who are universally respected. It appears that Hakim Saheb and Panditji were in the beginning opposed to enter into the Councils, but later on after mature consideration, they changed their views. For this very reason their opinion deserves to be considered with greater respect.

LISTLESSNESS IN THE COUNTRY

After saying this I desire to state that I have read their opinion twice with great attention and bearing this in mind. I have also read with great care the opinion of Deshabandhu Das as reported in the press. Of all the things that they have said in favour of entering Councils there is one thing which arrests my attention particularly and that is that at this time there is listlessness in the country. There are many reasons for it, but they don't concern us here but while Dr. Ansari, Sjts. Rajagopalachar and Kasturirangaiyengar do not suggest the means to remove it.'Hakim Saheb, Panditji and Patel say this that if the Congress decides that non-co-operators should enter the Councils, then they can go to the people with this measure and create an extensive agitation in this country. At this time Mass Civil Disobedience cannot be resorted to. Therefore this will furnish a new means for infusing new life among the masses. Considering all this it must also be admitted that we should have to go to the country with a new ideal and preach to them new methods. The ideals with which we have been so far approaching them and which they have of course understood to a large extent, will have to be given up and we shall have to tell them of our intention to show that the Reforms given by the Government are barren, and also the attention will have to be diverted

from the Constructive Programme which is accepted by all and turned in another direction. We must consider both points of view.

APPEAL FOR UNITY

I desire to say this also, that however great the differences may be with regard to this and other matters, all should accept the decision of the Congress if it does not go against their conscience. We should not elevate every difference of opinion into a matter of conscience and thus make the occasion one for a split. For to do so we should consider the matter carefully and pay particular attention to the appeal made by the members to all lovers of the country for service and sacrifice in the cause of the motherland in the following words:—

Whatever line of action is eventually taken in this and other matters, non-co-operators must in any case be prepared to undergo much greater sorrow and sufferings than they have so far endured. The struggle is prolonged, the end is not in sight, but unless the laws of nature are reversed and the lesson of history belied, freedom's battle has only one ending whenever it comes, and that glorious victory. Differences must from time to time arise about the methods to be adopted and the course to be followed. Such differences of a healthy and vigorous growth need cause no alarm. Individual views on other matters of principle or practice may vary from time to time but loyalty to the Congress must remain the first and last unalterable article of faith with every true congressman.

SJT. K. NATARAJAN

Sjt. K. Natarajan, Editor of "Indian Social Reformer," wrote to the "Bombay Chronicle" as follows:—

As between the two sections of opinion in the Report of the Civil Disobedience Enquiry Committee on the question of entry into the Legislative Councils, I unhesitatingly agree with Mr. Kasturiranga Iyengar, Dr. Ansari and Mr. Rajagopalacharya, in holding that it is both wrong and impracticable to enter the Councils with no object but to obstruct and destroy. What is even more deplorable, to my mind, is that by lending the weight of their names to this suggestion, which lacks in political decency, Messrs. Das and Motilal, and the Hakim Sahib most of all, have gone far to destroy the moral prestige which Mahatma Gandhi had secured for his movement and which was its most valuable asset in the eyes of thinking men all over the world. This sudden descent from political idealism to crass Parnellism, is a terrible shock to the movement.

But Dr. Ansari and Messrs. Rajagopala and Kasturi have not sufficiently considered the case for entering the Councils as a

means of consolidating the constructive social work implicit, like the seed in the flower, in the four broad points of the Bardoli programme. They have not given sufficient weight to the hard fact that, as the Councils have not ceased to function, they must function in ways often adverse to national policies, if they are not brought to functions in ways favourable to them. Successful Mass Civil Disobedience, which is the only way in which the present system including the Councils, can be put out of court, being plainly out of the question, there is no alternative to getting control of the Counils, or at least as much of it as possible, in order to endure that they do not obstruct, if they do not actively help, the constructive programme. That at present they are seriously endangering the feeling of brotherhood between our several communities, which is the corner stone of the Bardoli programme, is proved by what is happening in the Punjab, the United Provinces, the Madras and even in the Bombay Legislative Councils where communal issues are being increasingly and recklessly forced to the front. This unfortunate tendency ought to be immediately stopped, and it can be, if members pledged to Hindu-Mahomedan-Parsi-Christian Unity as the supreme factor of national policy, besides which all else is dust in the balance, enter the Councils in large numbers. That is only one example, but it is typical.

The majority of workers must, of course, be outside the Councils and, indeed, it is from them that their representatives should derive inspiration. Councils or no Councils, we cannot slacken in the work outside. Nor is it impossible to control the Councils without actually entering them. But it demands much greater concentration than we have been able so far to provide, to organise public activities; social, economic, as well as political, effectively into what, to use a pithy American phrase, would operate as an "invisible Government" creating the atmosphere which all the visible Governments must imbibe. Messrs. Rajagopala, Kasturi and Ansari, have not made any suggestions to create such a constraining public opinion outside the Councils. Personally, I have always held that a wide-flung constructive social movement which moves forward by its own momentum, would be the best thing as a means of national education and training, but my experience in social reform, and the apathy towards the Bardoli programme shown by many Congress leaders, have not been very encouraging. This is to be expected, because of the illiteracy of the masses and the extent to which they are under the sway of caste, and custom, prejudice and superstition. The Non-Co-operation movement has opened the eyes of the people, no doubt, but it will take some time and training to make them see things in their proper national perspective. In the absence of a better school, the Legislative Coun-

cils and the Municipal and the Local Boards can be utilised for this necessary purpose. Waiting upon events, is poor policy, but forcing the pace, is rank folly.

MR. STOKES

In opposing the reolution advocating Boycott of Councils in the Punjab Provincial Conference held at Rotak, Mr. Stokes said:—

I find that there are eminent persons on both sides. Three members of the Civil Disobedience Enquiry Committee who have made heavy sacrifices for the cause of the country are for entering the Councils. The other three equally eminent are against it. But I would ask you to hear all sides, use your intelligence carefully, think over the whole problem and give yonr well-considered vote for or against the proposed change in the Congress programme. I consider everybody liable to mistakes and I cannot claim infallibility for any individual or any party. It is for you to decide which party is in the right and you cannot do so unless you use all your intellect and intelligence. Therefore you should carefully ponder over the matter before giving your vote. You should not be taken off your feet by individualities but you should look to the condition of your people in the villages, make out a true estimate of what they are able to do in the great struggle for Swaraj. I heard very good stories of the preparedness of the people to fight for Swaraj, but when I came out I was disappointed to find that the constructive programme of Mahatmaji had not been carried out. Had the people taken to Khaddar and had they given up untouchability we need not have talked of the Councils to-day. There is a year yet and if you can show that you have done your duty the proposal of Council entry could be withdrawn. Nothing can be achieved by mere talk. It is actions, it is sacrifices that are wanted. One of my friends just said that by going to a gambling den or to a grog shop we run the risk of contracting those bad habits. We have tested on leaders. They have gone to the jails. They have suffered and even if they themselves said that they could not be sure of their honesty in the Councils we should not believe them. These men before going to the Councils will take the oath of loyalty to the Congress.

In concluding his speech he said that he was sure he could not do justice to the subject and that Shrimat Sarojini Naidu and Pandit Neki Ram who were lying in wait to demolish his arguments would speak infinitely better and carry them away, but he requested them to use their best judgment and if they elected not to stand for the Councils at the present time the opportunity will have slipped away for three long years.

BI AMAN

Begum Abadi Banu, the mother of the Ali-Brothers, issued the following statement to the press :—

After much deliberation on the recommendation of the Khilafat and Congress Enquiry Committees, I have arrived at this conclusion that by going to the Councils the sacred spirit which we have infused after two years' strenuous efforts and by putting twenty-five thousand of our best sons of Motherland in jails will be totally crushed. If men of our country are not courageous enough to carry out the constructive programme as passed by the Congress and Khilafat Committees, then I shall appeal to the female sex of this country to take in their hands. But before this I once more appeal to the true sons of India not to compel, by their shrinking in carrying out the programme, the women of this country to come on the political stage to carry out the programme. I am confident men of this country will not thus stigmatize their self-respect for ever. May the Almighty Allah give more sense and courage to my countrymen to pursue the right path.

MAHARSHI DWIJENDRANATH TAGORE

The following is the letter written to "Young India" by the Maharshi on reading the C. D. Report:—

The Civil Disobedience Committee publishes the report of their enquiry. The country, it seems, is divided in their opinion regarding entry into the Councils. To those of my countrymen who believe that entry into the Councils will do the greatest good in the way towards the attainment of Swaraj, I want to ask a simple question. Is it possible to secure an effective victory at the polls? The Government will always find men who will be lured into high emoluments in order to make it extremely difficult for Congressmen to get the majority of seats. In this way it will be very easy for the Government to carry out its wishes in the face of all opposition. What will the obstructionist Congressmen say to this?

It is a known fact that arguments which are grounded on sound reason and sense of justice do not carry half such weight with most of the educated men of the present day as those which are grounded upon their stupidity and cupidity.

SJT. M. R. JAYAKAR

Sjt. M. R. Jayakar wrote the following to the "Bombay Chronicle" on C. D. Report :—

Except on one or two important particulars I am in agreement with the views of Pandit Motilal ahd his two colleagues regarding entry into Councils. I cannot help feeling a satisfaction that the views, which some of us stated with bold precision exactly a year ago even at the cost of our popularity, have found expression through

a medium and in a quarter which must compel the earnest attention of the Congress. I do hope that in the atmosphere which the Committee's Report seeks to create in the country, lawyers will be admitted to a place of self-respectful participation in the work of nation-building lying before the country. As for entry into Councils, I have always held the view, as you are aware, that our best men should go into the Councils and carry on there their struggle with the Bureaucracy, by using all the opportunities provided by the Government of India Act and kindred other laws and usages. I have always been against our despising the weapons —limited and feeble as they are—provided by the Reform Act, for bending the Government to the popular will. I have no doubt that if the Nationalists enter the Councils, with a large majority behind them in the country, and make full use of their power and capacity of self-sacrifice, determination and courage, our present struggle with reactionary forces will be of a very short duration. I am, therefore, in agreement with the recommendation of Pandit Motilal and his two colleagues that the boycott against the Councils should be removed. I, however, do not agree with another part of their recommendation that the Nationalist should enter the Councils for the *sole and avowed purpose* of wrecking the Reforms. I think it is unwise to sound such a party-cry at the very start or to lay down at this stage any express direction or mandate regarding the policy to be pursued in the Councils. That will depend very largely upon many circumstances which it is difficult at present to anticipate. Our policy in the Councils must vary according to the attitude which Government will adopt in response to our efforts to approximate it to the popular will and it will also depend upon relative strength of our numbers and leadership in the Councils, as also on the public exigencies which arise at the moment. I am, therefore, against laying down, at this stage, any details regarding the policy or programme to be pursued by our representatives, save stating, in general terms, that they must be ready and willing, *if occasion should arise and the obduracy of the Bureaucracy make it necessary*, to create a deadlock, for I hold that, given the necessary provocation, it is a perfectly constitutional weapon to obstruct the business of Government. But, in my opinion, it is wrong and is an unnecessary weakening of our strength to state that we want to enter the Councils for this express purpose. I may go further and say that some of us, who are desirous of keeping the national movement at a very high level of moral purpose, may find it difficult to reconcile entry into Councils *for* the avowed purpose of obstructing all measures of Government and of wrecking the reforms with the high and noble principles and the spirit of the movement as conceived by its great leader. I am,

therefore of opinion that it is unfortunate that Pandit Motilal and his two colleagues thought it desirable to couple their recommendation with definite details of policy. I have, however, no doubt that, with the growth of public opinion on this point, it will be possible to have modifications, which will have the effect of removing the difficulty, which is unnecessarily created by these details and which Mr. Kasturiranga Iyengar and his colleagues have not failed to criticise, in such excellent terms, in their dissenting Report. There are one or two other points of difference, which it is unnecessary to state in this short statement of my views.

MR. M. JINNAH

The following is the interview that Mr. Jinnah gave to a representative of the "Bombay Chronicle":—

Q.—"What is your opinion on the Report of the Civil Disobedience Committee as a whole?" Mr. M. A. Jinnah said:—"In order to understand the report you have to go into the genesis of the Non-co-operation movement. The people of India had sufficient provocation and undoubtedly was driven to desperation by the policy of the Government with regard to what is known as the Punjab, Khilafat and Swarajya questions, but the programme of Non-co-operation adopted at the Calcutta Special Congress and confirmed at Nagpur was considered by many as unwise, unsound and not practical. The authors of the movement undoubtedly aimed at paralysing the administration of the Government. The movement in essence was planned for direct political action by the masses. The only restriction placed was non-violence in its methods. It was an organised campaign of peaceful resistance to laws and it was to be carried out by four stages. In my opinion the country was not prepared for any such revolutionary movement and I hold that it is not prepared to-day for any kind of "direct action". Therefore, sooner the triple bar, *viz.*, the boycott of schools and colleges, Law Courts and Councils is removed the better. From this it does not follow that the Government should merely rejoice in its abandonment and continue its policy in defiance of public opinion. The principle of Non-co-operation is very much like the Sinn Fien movement in Ireland. Arthur Griffith was the pioneer of that movement. The unwise policy pursued by the Government of England only supported the forces of Sinn Fien movement until it took such deep roots in Ireland that the British Cabinet was compelled to settle with the very men who were considered rebels just as the authors of Non-Co-operation are now looked upon as law-breakers and criminals. And it is possible that the Non-co-operation movement which has not succeeded as expected by its authors may again take roots—and probably firmer roots—if the Government do not meet the reasonable demands of

the people. It is further possible, as was the case in Ireland, that the authors of the Non-co-operation movement may find themselves in exactly the same position as Arthur Griffith did, *viz.*, the very forces which they created were not controllable by them and we have not yet heard the last of opposition as De Valera continues to defy the very men who were the founders of the Sinn Fien movement. The question, therefore, to be considered at the present moment is 'What is the wisest course to adopt'? And it depends not only what Non-co-operators do or may not do but equally on what is going to be the policy and attitude of the Government. However, I find that in the recent speech of Mr. C. R. Das, President-elect of the ensuing session of the National Congress at Amraoti, he says: "The country has made up its mind either to mend or end the reformed Councils," but unfortunately he does not say how he proposes to mend and in what respect? The real issue to which both leaders and the people on the one hand and the Government on the other have to apply their mind and concentrate their attention is the amendment of Reform Act and in what particular respect the reforms are to be mended. It is, therefore, in the first instance for the leaders of the people to formulate a definite scheme with the sanction behind it of the people. My answer to your quesion is that the Report, as a whole, left an impression of an admission that the non-co-operation party have bitten off more than they could chew.

Q.—What do you say in regard to the recommendation of the three members of the Committee who favour entering the Councils?

A.—My answer is that I have always held that our best representatives should go into the Councils, that we should organise the electorates and have a proper electioneering campaign and appraise the voters who are about six millions in number about the exact situation in regard to the various and pressing problems and questions that affect India.

Q.—If the best of India's representatives enter Councils is there any possibility of obstructing the Councils and paralysing the Government?

A.—It would be the greatest mistake to lay down any programme as to the course of conduct beforehand for the representatives to obstruct the business of the legislature. It would be equally a mistake to send representatives to the Councils with the expressed mandate of obstructing the Councils and nothing else. I am opposed to purely destructive programme conceived beforehand or contingent. Mr. Das says, supposing we are in majority what are we to do? We should begin our operation by formulating demands of what particular way in which we desire to mend our

Councils, if our demands are not recognised, we must non-co-operate with the bureaucracy by obstructing in every work of the Councils. I agree to this extent, that our representatives should formulate and put forward their demands and the particular way in which they desire to mend the Councils but after that demand is placed before the legislature it must be left to the wisdom and good sense of the men who will be duly returned as representatives of the people to adopt such a course as they may think under the circumstances necessary and proper: and not necessarily—obstruct every work of the Council or non-co-operate.

Q.—In the present mentality of the bureaucracy is it posssible to obstruct the Councils? For instance, with the veto of the Viceroy which he exercised against the Legislative Assembly in regard to the Protection of the Prince's Bill?

A.—My answer is yes. The work of the legislator would be made impossible if the wishes of the Councils are totally disregarded. The Viceroy will have to carry on the Government by means of veto and either Government will have to dissolve the Councils or suspend legislature.

SJT. T. PRAKASAM

The following letter was written by Sjt. T. Prakasam to the "Bombay Chronicle":—

Entry into the Councils at this juncture is national suicide. It would prove our weakness and unfitness for the national struggle, No nation will be fit for Swaraj if it be so fickle and wavering. Having laid the hand to the plough, we cannot now turn back. The reasons given by Pandit Nehru and his friends in favour of entry are unconvincing. Our leaders have told us so often that Swarajya could never be a gift by one nation to another, and that we have to establish it ourselves. I am unable to understand why they are thinking of entering the unholy and corrupt house without going forward to establish Swaraj themselves. Mr. Das once declared that we, Congressmen, are responsible for the peace of the country, that we are responsible even for the crimes of robbers and dacoits. Having said so, to think of Council-entry to-day is subversion of the fundamental principles of the great movement. The country can certainly ignore the co-operators and press forward to the goal. If we persist in entering the Councils with the avowed object of obstructing good measures and bad, we shall be acting like children, and it will not be long before we are disillusioned. But I have every hope that our leaders will see their error before it is too late, and give a proper lead to the country.

APPENDIX III
PRESS COMMENTS

"BOMBAY CHRONICLE"

The long-expected Report of the Civil Disobedience Enquiry Committee hes just been published. It is a document which, apart from its own merits, will make history. For, its main feature is the placing before the country of a proposal on which the decision of the latter, through its representative assembly, the Congress, will once for all determine the course and the success of India's struggle for Swaraj. The Committee was appointed under a resolution passed by the All-India Congress Committee at its meeting held on the 6th, 7th and 8th June last. The resolution embodied the terms of reference to the Committee which was called upon to report on the general situation in the country and place all available material before the All-India Congress Committee which might help it in "the further consideration of the question whether Civil Disobedience in some form or some other measure of a similar character should be adopted." The Committee has come to the conclusion that the country is not ready at present to undertake general mass civil disobedience or a general no-tax campaign in any province or district. The conclusion was inevitable in view of the overwhelming weight of evidence, only four out of 366 witnesses the Committee examined and 93 others who submitted written opinions supporting it. The Committee, however, considers that a situation may develop in a particular locality demanding an immediate resort to civil disobedience, by persons thoroughly prepared of it, of a particular law and order or some local or provincial tax, for example, the Chowkidari tax Bengal, and, feeling that no hard and fast rules can be laid down for such an emergency, it recommends that it must in all cases be left to the Provincial Committee to permit such civil disobedience after fully satisfying itself of the urgency of the case and the readiness of the people concerned to suffer all the consequences with perfect non-violence. While thus the Committee has expressed itself emphatically against general mass civil disobedience and permitied civil disobedience only of a limited character with stringent provisos, it has made it "perfectly clear that civil disobedience, as we conceive it, has nothing whatever to do with illegal orders and that it is the indisputable right of every citizen to break them at will."

UNWARRANTED

Having, for very good reasons, found that mass or individual civil disobedience on a sufficiently large scale to force the issue between the people and Government is out of the question for the present, three members of the Committee, Hakim Ajmal Khan,

Pandit Motilal Nehru and Mr. V. J. Patel have, for very wrong reasons, recommended entry into the Councils with the object of wrecking the "Reforms" and thus, as they believe, "putting an end to the present system", because they consider their proposal to be "a practicable and desirable measure of a character similar to Civil Disobedience" and hold that the time has come to adopt it, and they make this proposal in spite of the realisation that the line of action they were asked to recommend "must not offend against the principle of non-co-operation accepted by the Congress, nor come into conflict with the programme laid down at the Special Session held in Calcutta and the regular Sessions held at Nagpur and Ahmedabed", and in spite of the knowledge that the All-India Congress Committee, being the executive body of the Congress, "has no power to go behind the resolutions passed at these sessions and entertain proposals inconsistent with them." Now the boycott of the Councils is an integral part of the Congress programme and the All-India Congress Committee is not entitled to entertain any prposoal to rescind the boycott. Of course, we do not suggest that the All-India Congress Committee is prevented from recommending such a course to the Congress, as the Enquiry Committee asks it to do. What we wish to emphasise is that the Committee was not justified in giving undue importance to the question of entry into the Councils when the sole purpose for which it was appointed was to report on the propriety and expediency of Civil Disobedience. Civil Disobedience being the issue, public opinion naturally did not formulate itself with equal definiteness and emphasis on other questions such as that of removing the boycott of Councils and the fact that the proceedings of the Committee were, for good reasons, held *in camera* did not facilitate this process. The evidence on the question of Councils that the Committee collected could, therefore, hardly be said to reflect pubbic opinion in as complete and emphatic a manner as would have been the case if this question rather than that of Civil Disobedience had been placed before the people, as the main issue.

WHAT THE SITUATION DEMANDS

That, in spite of this, the evidence before the Committee was overwhelmingly against the entry into the Councils shows what little justification there is for the proposal to remove the boycott of Councils. "Throughout the country in our tour", the members in favour of the existing programme say, "it was clearly brought home to us that public opinion was strongly against any change in the Congress programme of boycott of Councils. Even in Poona, Nagpur and Akola, Maharashtra leaders who were in favour of entry into Councils admitted that the proposal would receive very

little support in public meetings." As Messrs. Kasturiranga Iyengar, Rajagopalachariar and Dr. Ansari say it is not proper to brush aside the opinion of the vast body of the Congress workers and of the country at large, for it involves at the very outset a diversion of the public attention and energy from the constructive programme to a campaign of converting the vast body of Congressmen to the new programme. Hakim Ajmal Khan and his co-signatories urge "whatever our feelings in the matter, we cannot run away from the grim realities of the situation the experience of last year and a half has brought to light. Facts must be faced. The tactics and policies of the Congress from time to time must necessarily be such as are best calculated to ensure success. Political tactics are never immutable." Granted. So far as we can see, and as we shall show later, the grim realities of the situation demand that we must adhere to the Congress programme as it stands and redouble our efforts to carry it out. Political tactics are not immutable. But principles are. And to enter into the Councils will not be a change of tactics but a violation of principle. The resolution of the Congress embodies a principle when it demands boycott of Councils because "Government consolidates its power through the Councils." As the Committee shows in Chapter IV of its Report the last boycott of the election was a striking success. It destroyed the prestige of the Councils. Now to enter the Councils, even if it be to obstruct, would restore their prestige and consequently that of the Government, for it would be a confession that only *through* the Councils, whether by supporting or destroying them, and not through the Congress, that Swaraj can be won. Apart from the fact that the powers reserved by the Government under the Act and Rules are sufficient effectively to prevent any deadlocks and overcome obstruction, it is difficult to see how the course of action suggested will lead us nearer the goal of Swaraj. Granting the majority required is secured and the working of the "Reforms" is rendered impossible, will the end be worth the effort when already the hollowness of the Reforms has been sufficiently exposed even by those who desire to work them to success? Cannot the stupendous fraud of the Councils being representative institutions be exposed in a more thorough manner by a more effective boycott than the last one?

THE ONLY EFFECTIVE RESPONSE

The supporters of the change have failed to give due importance to its likely reaction on the people and the Non-co-operation movement. The strength of the movement depends entirely on the belief of the people in its efficiency. The mass of the people will hardly care to distinguish between entering the Councils to work the reforms, to offer responsive co-operation and to create a

deadlock. Once you decide upon entering the Councils, whatever the purpose of such entry, the popular mind will not fail to be impressed by the implied assertion that the Non-co-operation movement as being conducted and carried out hitherto has failed. Such disillusionment, whether justified by facts or not, will be an irreparable blow to the movement. Putting aside the probability that notwithstanding a clear mandate from the Congress to wreck the Reforms, the schemes of obstruction and deadlocks may degenerate into ordinary co-operation. Messrs. Kasturiranga Iyengar, Rajagopalachari and Dr. Ansari are fully justified in giving expression to the apprehension that if the proposals are accepted the Congress will become of secondary importance and the electioneering organisations which will be brought into existence will assume undue importance and that is transfer of prestige will be fatal to the national cause. The argument that the Non-co-operators must enter the Councils merely to oust the Co-operators because the latter have supported the Government in the campaign of repression ignores the vital fact that repression is a response to the increasing strength of the Non-co-operation movement and that it must increase in intensity with the growth of the movement, whether the Co-operators are in the Councils or not. Lawless repression is the inevitable reaction of an alien bureaucracy to the pressure of the nation-wide movement to transfer power to the people and the only effective way of combating it is by the superior strength of suffereing. To advocate entry into Council as a reply to repression and terrorism is grievously to minimise the incalculable gain to the national cause by the suffering and sacrifice of the great leader of the movement and hundreds of the country's patriotic sons and daughters and to betray an unwarranted disbelief in the capacity of the people to endure more suffering.

CHANGE NOT NEEDED

This leads us to the all-important question whether a change in the programme is at all necessary. The supporters of the change have not demonstrated this need. Hakim Ajmal Khan Saheb says that he recommends entry into the Councils because he cannot shut his eyes to "the obvious fact that with the exception of a few provinces, we are not only not making any progress" in the working of the constructive programme; "but are actually going backwards." This view is hardly consistent with the testimony given in the Report to the phenomenal success of the movement. This is what the Report says :—

"Witnesses from all parts of the country speaking from direct local knowledge have tetstified to the outstanding features of the crisis through which the country is passing. These are: (1) the

general awakening of the masses to their political rights and privileges; (2) the total loss of faith in the present system of Government; (3) the belief that it is only through its own efforts that India can hope to be free; (4) the faith in the Congress as the only organisation which can properly direct national effort to gain freedom, and (5) the utter failure of repression to cow down the people. Our own personal observation in the course of our tour round the whole country fully corroborates the evidence on these points. We have found the general population permeated with the indomitable spirit of a great national awakening unprecedented in the history of human race for its wide sweep and rapid growth. The great bulk of the people showed complete lack of confidence in the Government and were found to be firm believers in Non-Co-operation and all it stands for. Repression, where it had done its worse, had no doubt left behind it a trail of sorrow and suffering but failed to crush the spirit of the people."

Does this testimony justify the counsel of despair in favour of entry into the Councils? Dose it not rather show that the heart of the people is sound, but there is no lack on their part of enthusiasm or willingness to sacrifice, that they are already recovering from the effects of the general repression and the arrest and incarceration of their beloved and saintly leader and that if there has been any slackening of the efforts, the blame must largely attach to the leaders and not to the people and that, as Messrs. Kasturiranga Iyengar, Rajagopalachari and Dr. Ansari say, "the requirements of the situation are that the leaders should earnestly and vigorously take up the working of the constructive programme even as Mahatmaji would have done if he had been with us, without diverting public attention and energy of Congress workers by new proposals or reviving discarded schemes?" The advocates of entry into the Councils seek to impress the world with the fact that "England is keeping us down and saving her face before the civilised world under cover of these sham Councils and the mendacious propaganda about their representative character." They forget that if the civilised world has been impressed by the Non-Co-operation movement, it is mainly because of the boycott of Councils. The Western mind understands and knows how to deal with constitutional obstructions or deadlocks. But it is baffled by the manifestation of the spiritual strength of a people. They also forget that the strength of the Indian people lies in themselves and that their success depends on the extent to which they bring their spiritual strength to bear on the struggle, The words of the Mahatma are as true to-day as they were when he uttered them at the Calcutta Congress, that if the best mind of the country refuses to associate with the Government, even as the

obstructionist, the Government's eyes will be opened, the only condition being that "those who refrain will not go to sleep, but move from one end of the country to the other and bring every grievance to the notice, not of the Government, but of the public." It is most unfortunate that the Committee by its divided opinion has not given a clear lead to the country. The issue is now before the country. As we have shown, the need for a radical change in the programme has not been demonstrated and the change suggested is one which, instead of helping the growth of the movement, will give it a serious setback. But the change having been suggested by leaders of the movement such as Hakim Ajmal Khan, Pandit Motilal Nehru and Mr. Patel the question cannot be shelved but must be faced. The All-India Coongress Committee, which is to consider the Report, will soon be replaced by another. Is it not advisable that the question should be considered by the new Committee that will form the Subjects Committee of the Congress and will have a determining voice in the settlement of the issue? Whichever the Congress Committee that considers the Report, the final battle, as the Report itself says, must necessarily be fought in the open Congress. The Congress will speak the mind of the nation and whatsoever its mandate—and we have no doubt, in view of the prevailing mood and the determination of the people to be masters of their own destiny, what this mandate will be—must faithfully and vigorously be carried out by all Non-co-operators. For the Congress is the only organisation which can properly direct national effort to gain freedom. And it can direct the effort with success only if the nation is one and united in action as well as in aim.

"A WANTON SABOTAGE"

The Report of the Civil Disobedience Enquiry Committee, a summary of which is published elsewhere, proves that what rumour has been saying of division in the ranks of congressmen with regard to the Council Entry, is only too true. The report is an important national document which reviews the whole period of non-co-operation activity with knowledge, acumen and insight as the Committee themselves say, "it has fallen to us to examine the magnificent work of the greatest man of the age now resting behind the walls of the Yeravda prison. The gravity of the task, apparent as it was at the outset, impressed us more and more strongly as we proceeded with the enquiry. At every step we realised the invaluable guidance afforded by the general plan so carefully worked out by the masterful genius who till recently directed the campaign in person* *Great however as is our respect and admiration for Mahatma Gandhi we have not allowed it to come in the way of our clear duty. We have approached his work with

reverence but we have examined it with care." The Committee have in fact reviewed the whole range of national activities from the crisis of 1919 to the present day.

As to the primary object with which the Committee were appointed their conclusion has been unanimous. They have come to the conclusion that the country is "not prepared at the present time to embark upon general Mass Civil Disobedience." With that conclusion very few at the present time would find fault. But though the preparation necessary for embarking on a nation-wide campaign of peaceful resistance to laws is now lacking, the Committee have rightly enough recognised that local option should be accorded to Provincial Congress Committees to start Mass Civil Disobedience of a limited character for local purposes. Situations may arise in any part of the country which may necessitate an immediate resort to this weapon. The Akali struggle that has now been going on for the last 2 months and more is a classic example of this. Though it is impossible to question the wisdom of the recommendation in so far as its immediate effect is concerned, our considered opinion is that it is extremely unfortunate that the Committee did not take a wider and more far-sighted view. The non-co-operation movement is in essence a plan for direct political action by the masses. It cannot be denied that its strength so far has lain in its character as a mass movement, which at some distant time or other was to throw its whole forces against the Government in the form of civil disobedience on a large scale. It was this ideal that was steadily kept in view as long as Mr. Gandhi was conducting the campaign in person. Even the appointment of the Enquiry Committee was due to the fact that the years, in the words of the Resolution of the A. I. C. C., "a widespread feeling that the country should be advised to resort to some form of Civil Disobedience." It was to enquire into the preparedness of the country for this form of political action that the Committee were appointed. The Committee have very rightly come to the conclusion that the country is not yet sufficiently prepared for Mass Civil Disobedience. The recommendation with regard to this vital question however takes merely a short-sighted view and does not deal with the possibility of organising such a movement at any future time. This is not only a grave error of political judgment but it involves a distinct going-back on the great policy which Mahatma Gandhi had enunciated. The stalemate that undoubtedly exists at the present time is due to the fact that the vision of an organised India fighting her battle without violence but in the open field against the Government and the Empire has faded in the imagination of people. That will come back only if we reinstate the possibility of mass or limited Civil Disobedience

on a large scale as the ultimate object for which our preparations are meant. By ruling out that probability the Committee have agreed to what may be called a wanton sabotage of the whole programme of non-co-operation. In its place one section would continue the present state of suspended animation without even the suggestion of some form of political activity. The other section would substitute for Mass Civil Disobedience, the programme of Council Entry "in strict accordandce with the principle of non-violent non-coperation." As this is the main point which is now under discussion, the recommendations of the Committee on this matter can only be considered a separate article.

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The All-India Congress Committee which is to meet within another fortnight will have the honour and political salvation of the country in its hands. From the point of view of the moment we cannot emphasise too much that both the sections have equally gone back on the non-co-operation programme. It does not matter in the least to us if one section still clings to the outward forms, the symbols and catchwords of non-co-operation while abandoning its vital principle. It does not in the least matter to us if both sections quote the authority of Mr. Gandhi with equal emphasis and vie with each other in the orthodoxy of their opinions. The capital and outstanding facts is that the Committee as a whole have gone back on the programme of non-co-operation as enunciated at Calcutta, accepted at Nagpur and confirmed at Ahmedabad. Whether the situation in the country is such as to justify a back-sliding of so important a character is a matter which has to be carefully considered. The revisionists attempt to make a case for Council Entry, the unsatisfactory and inconclusive nature of which we exposed in our article yesterday. But the other party does not even attempt to do that. They make out no case for perpetuating the present impasse, which would be the undoubted result of their recommendations. They make no forward proposals. Because Mahatma Gandhi is not here to give us orders, are we like Casabianca to stand where we are and get consumed in the fire? That would be the perfection of sacrifice and self-abnegation which Messrs. Rajagopalachari, Kasturiranga Iyengar and Dr. Ansari seem to demand of us. In political as in other struggles, there is no standing still. We must either go forward or be pushed back to the very precipice of destruction. Here is where the members who support the present policy of inaction, euphemistically spoken of as working the constructive programme, have erred. The policy or the lack of it which is involved in the report of Messrs. Rajagopalachari and others is in our opinion as much destructive of non-co-operation as the disastrous plea for

Council Entry which Pandit Motilal and his party make. The only thing that is open for the All-India Congress Committee to do now is, in our opinion, to reject the Report in its vital recommendations. We feel sure that the Committee will have political sense enough to see that while the acceptance of Council Entry would involve the destruction of non-violent non-co-operation as a movement and with it the possibility of direct action against the Government, the continuation of the present policy of doing nothing would mean self-invited death by sheer inanition. The All-India Congress Committee and the country can do nothing but throw overboard the recommendations of both the sections in so far as they do not lead us forward. It is of the utmost necessity that the ideal of Civil Disobedience against the Government should be reinstated in our programme. That is the demand of the country. The present programme even at its inception was declared to be provisional; and so early as June there was a strong feeling in the country, as was evident in the Lucknow meeting of the A. I. C. C., for a radical revision. The Committee, as we pointed out in our first article, were appointed as a result of this demand. During the last four months, that desire for alteration of a progressive nature in the programme has not by any means abated. Though the members who composed the Civil Disobedience Committee were all leaders held in the highest personal respect, that will not ensure the acceptance of the Report by the country. They will find that in the matter of going forward from the basis of the Bardoli-Delhi resolutions in the pacific spirit of non-violent non-co-operation the country is admantine in its determination. It will tolerate no going back.—"*Swarajya.*"

THE LONG-DEFERRED REPORT

We wonder if Hakim Ajmal Khan, Pandit Motilal Nehru and Mr. V. J. Patel of the Congress Civil Disobedience Committee did ever care to have a glance at the constitution and rules of the various Indian Legislatures, when they prepared their plan for smashing the Montford reforms. "Knock these Councils on the head," they declare, "and you will accomplish what millions spent in foreign propaganda cannot achieve." "Wreck the reforms," they add, and you will smash at one blow the huge superstructure of world-wide deception which has cost millions to build up. But have the non-co-operators the power to knock the Councils on the head and wreck the reforms? The plan that has been devised to carry out the object would be found in the following extract:—

"The Congress and the Khilafat at their Gaya Sessions should declare that, in view of the fact that the working of the Legislative Councils during their first term has, besides proving a great obstacle to the redress of the Khilafat and Punjab wrongs and the

speedy attainment of Swarajya, caused great misery and hardship to the people, it is desirable that the following steps should be taken in strict accordance with the principles of non-violent non-co-operation to avoid the recurrence of the evil:—

"1. Non-co-operators should contest the election on the issue of the redress of the Punjab and Khilafat wrong and immediate Swarajya, and make every endeavour to be returned in a majority.

"2. If the non-co-operators are returned in a majority large enough to prevent a quorum, they should after taking their seats leave the Council Chamber in a body and take no part in the proceedings for the rest of the term. They should attend the Councils occasionally only for the purpose of preventing vacancies.

"3. If non-co-operators are returned in a majority which is not large enough to prevent a quorum, they should oppose every measure of the Government, inclucing the budget, and only move resolutions for the redress of the aforesaid wrongs and the immediate attianment of Swarajya.

"4. If the non-co-operators are returned in a majority, they should act as pointed out on No. 2 and thus materially reduce the strength of the Council."

We do not understand how Hakim Ajmal Khan, Pandit Nehru and Mr. Patel could ever cherish the hope that the non-co-operators would be returned to the Councles a majority large enough to prevent a quorum. A simple reference to the composition of the Legislative Assembly would prove that this hope is only the outcome of ignorance. The Legislative Assembly consists of one hundred and two elected members, and forty-one members nominated by the Governor-General, of whom not more than twenty-six may be officials. The Government of India rules provide that the presence of twenty-five members is necessary to constitute a meeting of the Legislative Assembly for the exercise of its powers. It is evident from this that the official members are themselves sufficient to form a quorum. If some of them are absent, there would be non-official nominated members to fill the gap, and supply the requisite number for a quorum.

The hope of the non-co-operators coming in a large majority into the Councils at the general election and thwarting legislation appears to us equally unfounded. The total strength of the Legislative Assembly is 143, of whom 41 are nominated members. Of the seats which are to be filled up by election seven are earmarked for Europeans, six for land-holders, and three for the representatives of Indian merchants. The occupants of these sixteen seats cannot be non-co-operators and the hope of a non-co-operation majority in the Legislative Assembly falls to the ground if only 15 or 20 seats are captured by the pro-reform party which is not at all a difficult

business. These are hard facts and we trust they will convince the three advocates of the new policy of obstruction that it is impossible to wreck of the reforms under any circumstance.

If the non-co-operators are returned in any number into the Councils next year they would be returned in a minority, and what the advocates of obstruction propose to do under this circumstance is worth some notice. Hakim Ajmal, Pandit Nehru and M. Patel suggest that the non-co-operators, should they find themselves in a minority, should leave the Council Chamber in a body after taking their seats, take no part in the proceedings for the rest of the term and thus materially reduce the strength of the Councils. But we fail to understand what good this cowardly course may achieve, or what good it will do to the non-co-operation party either. If the non-co-operators are returned in any large number their absence from the Chamber will only serve to weaken the Opposition and strengthen the bureaucracy. Wrecking the reforms would still be an unrealised ambition for the work of legislation would go on merrily and well; and the only effect of the absence of the non-co-operators would be that the opposition being in a minority government would be able to carry any and every measure through the Council. Nothing can be a greater disservice to the country than this, and we trust the Gaya Congress would not lend countenance to this suicidal step. If the non-co-operators think that it would not be immoral to oppose any and every measure of Government irrespective of its merit, let them do it by all means; but why they should actually help the bureaucracy in forging fresh fetters for the country and adding to the burden of taxation, passes our comprehension.

We are almost confident that this suggestion of the three advocates of obstruction would have received a severe reproof from Mr. Gandhi, had he been in a position to express his opinion now. He certainly preferred that the non-co-operators should take no part in the legislative activities of the country ; but he was not altogether silent as to what should be done by those of them who were willing to enter the Councils. We distinctly remember that, in reply to a certain criticism of the non-co-operation programme by Mr. Jayakar he was inclined to think that a strong opposition should be formed in the various Legislatures by those who thought that it would not be to the best interests of the country to keep aloof from them. To participate in the elections and not to take part in the proceedings of the Legislatures is immoral and one may be certain that this immoral course would not have appealed to Mr. Gandhi.

The Civil Disobedience Committee have recommended that "it is desirable for non-co-operators to seek election to Municipalities

and District or Local Boards with a view to facilitate the working of the constructive programme." But this position is inconsistent with their attitude towards the Legislatures. If they are to facilitate constructive work in the case of local bodies they are also morally bound to take up the same attitude towards at least the three departments of the Provincial Governments which have been transferred to the control of the Ministers. Besides, how is it possible to do constructive work in Municipalities, District or Local Boards, if the interests of Local Self-Government are not taken care of in the Legislative Councils which under the present conditions are undoubtedly the sources of all inspiration and legislation in this connection ?

The Report of the Civil Disobedience Committee is valuable only in so far as it makes a stand against mass civil disobedience. The members are quite correct indeed when they hold unanimously that the country is not ripe for it. Bbt as regards any scheme for constructive work, the Report is barren altogether. Some of its suggestions are puerile and foolish as we have already shown. We are not, therefore, surprised that the Report has fallen flat on the country.—"*Bengalee.*"

"CONFESSION OF FAILURE"

It should be evident from the extracts given above that the Committee has practically admitted the failure of the entire non-co-operation programme, but the report is so cleverly written that it is likely to confuse the less critical reader and to mislead him. But in spite of the failure of the items of non-co-operation, the report has played with the idea of civil disobedience. An overwhelming number of witnesses who appeared before the Committee opposed the starting of mass civil disobedience, and consequently the Committee has definitely stated that the country is not ready for mass civil disobedience or a general no-tax campaign in any province or district. It has authorised the disobedience of illegal orders by individuals in accordance with the directions of the Provincial Congress Committees and has given power to these committees to sanction limited mass civil disobedience.

The Committee was equally divided on the question of entry into Councils. It has to be noted in this connection that all the members of the Committee with one exception, recorded their opinion against any change in the existing programme, after a full consultation among the members held after the Committee's tour was concluded. It was on the 7th October that it appeared that two of the members had reconsidered their position and that the Committee was equally divided over this question. Messrs. Kasturiranga Iyengar, Ansari and Raja-

gopalachariar, who oppose the entry into the Councils, and Hakim Ajmal Khan, Pandit Motilal Nehru and Mr. V. J. Patel, who support it, have expressed their views separately. The opponents point out by reference to the evidence recorded by the Committee, that the "proposal of our colleagues stands shorn of support from all but an extremely negligible number of Congressmen in the country and is very different from the position taken up by the leaders like Messrs. Kelkar, Aney and others who have been agitating for the removal of the boycott of Councils for sometime past." In fact only 15 winesses out of the 366 witnesses examined advocated entry into the Councils for total obstruction. It would thus appear that the views expressed by Pandit Motilal Nehru, Hakim Ajmal Khan and Mr V. J. Patel represented the opinion of a negligible section of the non-co-operators and can scarcely be called representative. We have no space left to criticise the plan of action suggested by these gentlemen in connection with the Councils and we reserve our comments to a later issue.

The report, we are constrained to say, will damage the cause of non-co-operation still further. It is lacking in frankness and courage. It abounds in self-deception and self-glorification and an utterly one-sided presentment of facts. The Moderates, the Government and all opponents of non-co-operation are wrong, only the non-co-operators are almost immaculate. It shows that the leaders have not yet fully awakened to realities and that the process of disillusionment is only partial. An inordinate sense of pride and prestige perhaps stands in the way of a candid confession of mistake. The abuse of Moderates and misrepresentation of facts was not necessary to make out a case for the wrecking of the Reforms by entry into the Councils for obstructive purposes. There are portions of the report which can be used with deadly effect by the opponents of Indian progress. We are afraid the authors of the report have neither rendered any service to the country nor to their own cause.— " *Leader.*"

"THE SECOND BEST"

The report makes certain facts clear—the chief of which seems to be the urgent necessity for the Committee of considering new and original lines of Nationalist activity. The country desires a definite lead. The Committee in their tour through the country have found everywhere an eager spirit zealous for advance. They have found also strong divergencies of opinion as to the chief suggested modification of the Congress programme their enquiry has concerned itself with. This modification had no part in the preferences or minds of individual members of the Committee when

the enquiry started. The question was first raised by numerous witnesses in response to feelers put out by the Committee as to the nature of the lead which the country desired the Congress to give. The proposal seems to have been the only constructive one elicited by the Enquiry and this fact should have due weight in the mind of the individual when himself forming an opinion on this very debatable subject. The report of the Enquiry Committee certainly seems to suggest that no alternative proposal of sufficient practical value and sufficiently answering the present demand for definite action, emerged from the mass of evidence collected by the Committee. Our reading of the Committee's report leads us to the following conclusions. At the time of the Committee's tour, the weight of popular opinion seems to have been against entry into the Councils. Now that the question has been sifted through by the Enquiry Committee and the country has begun to ponder over a matter which formerly was largely regarded as outside the pale of consideration by orthodox Nationalists, it is quite possible that the balance of opinion has shifted and is shifting daily. As to this the verdict of the Congress at Gaya will be a decisive pronouncement. We have found nothing in the report of the Civil Disobedience Enquiry Committee tempting us greatly to modify the position we took up when anticipating the report. We remain of opinion that the answer to the question raised by the Report must be made by every Congressman in all self-knowledge and humanity. Though it be galling to a man's self-esteem to admit to himself and the world that he and his fellows are not prepared for the Higher Way of Renunciation, that admission, it seems, must be made by a majority of Congressmen in view of the Committee discovery that the country as a whole is not ready to embark on Mass Civil Disobedience. At the same time the country is not at all reconciled to a further prolongation of conditions of proparation which tend to produce a position of stale-mate–and which have certainly prompted the people to ask :—"How much longer shall we drift thus aimlessly ?"–while the bureaucracy flatter themselves with growing arrogance that they have effectively dealt with Non-Cooperation. The note which Hakim Ajmal Khan appends to that portion of the report setting forth his views and the opinions of Pandit Motilal Nehru and Mr. V. J. Patel places the question before us very concisely and logically. The Hakim Sahib says that if he had found or considered the country to be prepared for the Higher Way of Mass Disobedience, the question of entering the Councils would not have arisen. But under prevailing circumstances the question forces itself into consideration as a need for choosing the second-best—the best being apparently beyond us.

This is precisely what we have declared formerly in these columns. And if it be granted by thinking Congressmen that our inability to rise superior to the elements forces us to refuse to attempt to swim on land, no argument as to the consensus of opinion during the C. D. Enquiry in the country can avail. What opinion existed then had not been formed after deep thought and consideration. The expression of it, in many cases, must needs have been really an expression of an individual witness' aversion from confessing that he and the country had failed the Mahatma. But the mere fact that the country is admittedly not ready for Civil Disobedience—a fact as to which the vast majority of witnesses themselves testified —constitutes such a confession of comparative failure, and we fail to see the logic or reason of making that confession a reserved and halting effort. It is no use attempting to deceive ourselves and the world. Far more is in keeping with the Mahatma's evangel would be candid action such as the protagonists of entry into the Councils urge upon the country. We grant that it is deplorable that the need for considerations of a second-best should exist but granting that the need does exist,—it were the height of conceited folly to blind our eyes to our imperfections and to reject the obvious alternative which only those imperfections have thrust upon us. India cannot proclaim herself unfit to embark upon Civil Disobedience and in the same breath declare herself too perfect even to consider the question of ending the reforms by methods less exalted. The real choice which the Civil Disobedience Enquiry Committee's Report places before India is not one between a "Yes" or "No" as an answer to the question :—"Shall we enter the Councils ?" India is asked to choose between entering the Councils or embarking upon immediate Mass Civil Disobedience.—"*The Independent.*"

WRECKING THE REFORMS

The report of the Civil Disobedience Enquiry Committee which was published on Sunday last is a document of the highest importance and authority. The Committee, in its final form, consisted of six gentlemen who individually and collectively were among the most representative men to be found anywhere in the country, whether in the Congress and the non-co-operation movement or outside. On the issues referred to the committee they not only represented every shade of opinion among Non-co-operators but were among the strongest advocates of their respective opinions. It is inconceivable that the recommendations of such a body of men, whether unanimons or otherwise, can fail either to carry the greatest possible weight with those who are in the no-co-operation tubernacle or to command respectful attention in the country generally.

So far we are generally with the Nehru party. When, however, we come to the question of the policy to be followed by the Non-co-operators in the Council we find our sympathies equally divided between the two sides, and feel inclined to say to them "you both are wrong." The pro-entry party lay down four propositions: (1) that Non-co-operators should contest the election on the issue of the redress of the Punjab and Khilafat wrongs and immediate Swarajya; (2) that if they are in a majority sufficient to prevent a quorum they should withdraw immediately after taking their seats; (3) that if they are in a majority not sufficient to prevent a quorum they should follow the policy of obstruction; and (4) that if they are returned in a minority they should, as in the second case, withdraw in a body and thus materially reduce their strength of the Council. The first of these proposals we heartily accept, subject to the reservation that, in our opinion, immediate Swarajya is quite sufficient as an election issue, and includes the other two, so far as they can be made an issue. The second we consider wholly improbable and the fourth is nearly as futile as not going to the Councils at all, "nearly," because its negative effect in preventing the presence of undesirable members would not be without some value. The third, therefore, is the only alternative worth considering, and in considering this alternative we are bound to say that Pandit Nehru and his friends have not been able to make out either a clear or a convincing case for it. A policy of obstruction, whether followed by a majority or a minority would not, as the other party seem to imagine, violate the oath. On that point Pandit Nehru's position is invincible. Nor would there be anything immoral in obstruction, anything in the least degree inconsistent with the principle of non co-operation. The question is solely one of expediency, of making your own action effective. And from this point of view we find the objection of the other party unanswerable, that a policy of obstruction followed just at present, even by a majority, would undoubtedly lead to a strife not merely with other members of the Council, but with the country generally. A policy of wholesale obstruction can be followed if and when necessary, without any such risk only when the vast majority of the constituencies are definitely with you, and when the process of obstruction is likely to extend over a comparatively short period. In every other case the obstructionists do run the risk of accentuating existing differences instead of eliminating them, and sometimes of actually alienating the sympathies and support of even those who were originally with them. The very constituencies which gave the mandate in favour of obstruction would, if the process was unduly prolonged, ultimately turn against the obstructionists.

In our opinion the only sensible policy for the Non-co-operators and other Nationalists to follow in the Council would be (*a*) to abstain from debate or voting in all ordinary cases, subject to the important reservation that is of good or bad measures, having a more than ordinary bearing on the question of nation-building, when their participation is needed to turn the scale in favour of right or against wrong, they should reserve to themselves the discretion of jointly participating in the debate or division ; (*b*) to participate in and if and where necessary initiate debates with a view to safeguarding freedom, individual and national, and fighting repression tooth and nail ; and (*c*) to concentrate effort, as far as possible, on the same work that they are doing outside, that of increasing the strength and solidarity of the country and uniting it in fundamental opposition to the present form of government with a view to its replacement at the earliest possible moment by a Government responsible to the people. The time for total and wholesale obstruction would come only when this work was completed, if even at that time the Government had not the sense to bend before the coming storm. The boycott should, in our opinion, be rescinded, first that the constituencies may be captured in favour of immediate Swarajya, and secondly that the Congressmen who are returned may endeavour by every collective means in their power to win the other members over to their side.—"*Tribune.*"

A SANE DOCUMENT

It will be seen that most of the recommendations are unanimous, while Messrs. V. J. Patel, Motilal Nehru and Hakim Ajmalkhan and a minute of dissent favouring entry into the Councils. Of course we must defer detailed comment upon the report to another occasion, but there is the least doubt that it is a very sane document which will satisfy in general terms all thinking and reasonable people in India. Almost every change which the Maharashtra party from the beginning demanded in the N. C. O. programme and which was preposterously resented and deliberately misinterpreted by some do nothing stick-to-its has been recommended unanimously by the Committee. Although there is a tie in respect of Council-entry among the members, the names of Pandit Motilalji and Hakimsaheb on the side of Mr. V. J. Patel constitute a considerably big asset. People will be surprised to see Motilalji and Hakimsaheb standing in favour of Councils, but that is the only conclusion to which every right thinking, unbiassed and sensible man must come after serious deliberation. There might be differences of opinion regarding the behaviour of Councillors after entry into the Councils but there ought to be at least a consensus of opinion on the lifting of the boycott. In brief, the report is a complete triumph of the Maharashtra party

which led the attack on the orthodox programme, in spite of the volleys of severe criticism that were being fired upon it incessantly by the vested interests of the N. C. O. programme. Well, we hope henceforward at least (to use the language of a French paper describing the present British political situation) there will be in Indian politics "no more daring experiments, risky adventures, sudden about-turns, bellicose utterances or threatening gestures, but a method of dignity, reflection and prudence.—*Maharatta.*

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YOUNG INDIA

1919--1922

BY

MAHATMA GANDHI

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